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Spring 1997

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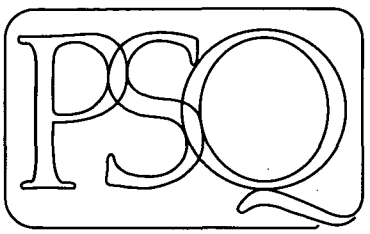

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THE JOURNAL OF PUBLIC AND INTERNATIONAL AFFAIRS

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Published continuously since 1886.

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Issued in Spring, Summer, Fall, and Winter, POLITICAL SCIENCE QUARTERLY (ISSN 0032-3195) is published by the Academy of Political Science, 475 Riverside Drive, Suite 1274, New York, NY 10115-1274. Subscriptions are obtained through membership in the Academy.

Regular membership: one year, $39.00; two years, $70.00; three years, $93.00; student, $27.00 a year. Libraries and institutions $146.00 a year. Second-class postage paid at New York, N.Y. and additional mailing offices. Foreign postage is $8.00 additional per year. Volume 112 Number 1, Spring 1997. Special membership: contributing, $75; fellow, $150; patron, $250; benefactor, $1,000. *Contributions are tax deductible.* Credit cards accepted: American Express, MasterCard, and Visa.

Manuscripts, books for review, and editorial correspondence should be addressed to the Managing Editor, POLITICAL SCIENCE QUARTERLY, 475 Riverside Drive, Suite 1274, New York, NY 10115-1274. Correspondence about advertising and reprint permission should be addressed to Richard Hall Jacovitz, Business Manager, The Academy of Political Science, 475 Riverside Drive, Suite 1274, New York, NY 10115-1274.

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PUBLISHED INDICES: A title page and an index of articles and book reviews appears in the Winter issue of *PSQ*. *The Reader's Guide to Periodical Literature* lists articles from 1886 to 1953 and *The Social Science Index* has articles dating from 1953 to the present. Articles are also listed in *ABC Pol Sci*, *The International Bibliography of Political Science*, and the *Public Affairs Information Services Bulletin*. Articles are abstracted in *United States Political Science Documents*, *The International Political Science Abstracts*, *Historical Abstracts*, *Urban Affairs Abstracts*, and *America: History and Life*. Book reviews are listed in *The Book Review Digest to Social Science Periodicals*, *Book Review Index*, and *Book Review Digest*.

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Postmaster–send address changes to Political Science Quarterly, 475 Riverside Drive, Suite 1274, New York, NY 10115-1274.

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Library of Congress Catalog Card Number: 7-36315.

Printed by Capital City Press, Montpelier, Vermont.

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From the Editor:

In this issue . . .

EVERETT CARLL LADD analyzes the 1996 presidential and congressional elections and finds continuities with other contests of the so-called postindustrial era. Party ties are weak for a large and growing segment of the population so that neither the Republicans nor the Democrats have been able to become a long-term dominant majority. From this condition of unanchored voters emerges divided government and powerful splits along race, region, religion, and gender in ways without precedent.

STEVE A. YETIV examines the effect of Middle East peace on Israel's national welfare and on its regional and global relations. He argues that changes in global politics and economic relations, and specifically Israel's particular economic and security position, have significantly increased the costs of conflict for Israel and the potential benefits of peace.

KATHRYN DUNN TENPAS and MATTHEW J. DICKINSON assess the growing dominance of the presidential staff in presidential reelection campaigns. This dominance, they conclude, contributes to a higher incidence of staff turnover, as presidents must juggle their advisors to respond to the diverging tasks of governing and campaigning.

MICHAEL BRATTON documents and analyzes the divergent political trajectories of sub-Saharan African regimes in the early 1990s. While some regime transitions have resulted in a minimal form of democracy, others have been flawed, blocked, or precluded.

JOHN T. ISHIYAMA examines causes for the emergence of different post-Communist electoral systems in Eastern Europe. He argues that the type of democratized electoral system that emerged depended on the degree to which the Communist party and opposition leaderships had begun to think of their organizations as primarily seat-maximizing political parties, rather than as mass movements.

KEN I. KERSCH addresses federalism questions involving the obligation of states to recognize same-sex marriages under the full faith and credit clause. He argues that a consideration of traditional norms of comity among states along with the nation's experience with analogous disputes concerning slavery and antimiscegnation statutes would be useful to policy makers grappling with the issue.

RAYMOND L. GARTHOFF's review essay critiques the memoirs by Robert Gates, a past director of the Central Intelligence Agency and National Security Council staffer. Garthoff concludes that Gates's memoirs, while not without bias, nonetheless offer interesting insights into bureaucratic political interplay and the role of intelligence in the policy process.

DEMETRIOS JAMES CARALEY

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1996 Vote: The "No Majority" Realignment Continues

EVERETT CARLL LADD

My last three election articles in *Political Science Quarterly* have emphasized the powerful continuities evident in the contemporary "postindustrial" parties and elections system: "The 1988 Elections: Continuation of the Post-New Deal System"; "The 1992 Vote for President Clinton: Another Brittle Mandate?"; and "The 1994 Congressional Elections: The Realignment Continues." I hope I do not try readers' patience by returning to this continuity theme in assessing the November 1996 outcomes.

In multiple understandings of the term, the 1996 vote was a status-quo election. It was obviously such in the sense that it left control of the government essentially unchanged. The Republicans retained majorities in both the House (where their margin dropped from the thirty-two-seat edge they enjoyed following the 1994 balloting to twenty seats) and the Senate (where they gained two seats, bringing their majority to fifty-five to forty-five). This is the first time the GOP has managed congressional majorities for consecutive terms since 1928. Meanwhile, as Table 1 shows, President Bill Clinton won reelection by a margin similar to the one he gained over George Bush four years earlier. Clinton again won despite persisting doubts about his character because his political skills surpassed his opponent's and because the economy (seen as bad in 1992, good in 1996) was on his side again.

EVERETT CARLL LADD is professor of political science and director of the Institute for Social Inquiry at the University of Connecticut and executive director of The Roper Center for Public Opinion Research. He is the author of numerous books and articles on American political parties and elections, including *Transformation of the American Party System*, 2nd ed., rev. (with Charles Hadley), *American Political Parties, Where Have All the Voters Gone?, America at the Polls, 1994*, and *America at the Polls, 1996* (in press).

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TABLE 1
Vote for President, 1992 and 1996

	Clinton	Bush and Dole	Perot	Dem. over Rep. Margin
1996	49.2	40.8	8.5	8.4
1992	43.0	37.4	18.9	5.6

It was a status-quo election, though, in a more fundamental sense. The partisan realignment that ushered in our contemporary system is now fully mature, its essential features set. One large part of this realignment involves a clear and decisive shift in the agenda of politics—what I will call the "philosophical realignment." The other principal element, involving the parties' competitive standings, is more ambiguous. The Democrats have long since lost the majority status they held from the New Deal to the Great Society, but the Republicans have not been able to claim the mantle. Voters again chose in 1996 to divide control of the national government between the two major parties. Finally, 1996 saw the now-familiar patterns of social group voting that began emerging in the late 1960s.

In this article I will discuss some factors peculiar to the 1996 contest and its candidates, but I will concentrate on placing the balloting squarely in the context of the postindustrial party system. That system is distinguished by the following features:

- a philosophical realignment which sees the electorate significantly more conservative than it was in the preceding era, especially in the sense of being far less inclined to accept claims that *more government* represents progress;
- markedly weakened ties of voters to the political parties;
- television's dominance as the campaign's medium and an institutional setting that is a vast departure from predecessor systems. Candidates lacking television access to voters on a par with their opponents in a very real sense lack political free speech. New political gatekeepers, including television news producers, on-air journalists, and talk show pundits, are a major force in this "electronic democracy."[1]
- In large part due to factors that inhere in the loss of party loyalty and the dominance of television, the contemporary system lacks a majority party and shows little prospect of adopting the "sun and moon," majority party/minority party model that Samuel Lubell described so vividly nearly a half-century ago.[2]
- Divided government does not inevitably follow in a no-majority-party era, but it is naturally more readily obtained in one. Other factors that I will describe

[1] For an instructive description of this dimension of the contemporary party and elections system, see Lawrence K. Grossman, *The Electronic Republic: Reshaping Democracy in the Information Age* (New York: Viking, 1995).

[2] Samuel Lubell, *The Future of American Politics*, 3rd ed. (New York: Harper & Row, 1965), 192.

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below have contributed to persisting split party control, making it a deeply established, far from coincidental feature of contemporary politics.

- Finally, the composition and alignment of social groups that we see today in politics—differing sharply as they do from those of the New Deal years—persist because they reflect central structural features of the postindustrial economy and the group conflicts and cultural tensions of this era.[3]

Understanding Realignment

Each of the major partisan transformations the U. S. has experienced historically has grown out of broad shifts in the country's socioeconomic setting. Once established, the underlying properties of the new system shape subsequent election results in many ways. They do not, obviously, determine who the winners will be in each election. The personal appeal (or lack thereof) of the candidates is always a key independent element, and parties have opportunities to fashion appeals and build majorities whatever the sociopolitical setting.

There was plenty of mystery and uncertainty at the start of the 1996 campaign. It was by no means certain in late 1995 that Bill Clinton would win reelection. He responded boldly to his then-sagging electoral fortunes, adopting or emphasizing positions closer to what conservative majorities in the electorate favored than he did in his first two White House years. From proclaiming that "the era of Big Government is over" in his January 1996 State of the Union Address, to calling for programs that rally the "vital center" in his December speech to the Democratic Leadership Council (DLC), Clinton responded to a changed political environment. We cannot know precisely how much the subsequent rise in his approval ratings and electoral standing accrued from these changes in direction, but it is apparent that Clinton helped himself with the voters.

On the Republican side a variety of important short-term factors hurt the GOP's chances to regain the presidency. Urged by many Republican officials to seek the party's presidential nomination and enjoying a high level of public encouragement (through the polls), Colin Powell nonetheless said no. The GOP found itself with a weak field of candidates and nominated a man who had never, in a long and distinguished political career, shown the ability to rally the nation. Ross Perot, who mounted so formidable a challenge to George Bush's reelection in 1992, had by 1996 lost much of his appeal. Many Americans who had seen the economy in trouble in 1992, had by the 1996 campaign come to feel better about their own eco-

[3] I have discussed many of the distinguishing features of the social group alignment of the postindustrial system in my previous elections articles in the *PSQ*. See "The Brittle Mandate: Electoral Dealignment and the 1980 Presidential Election," 96 (Spring 1981): 1–25; "On Mandates, Realignments, and the 1984 Presidential Election," 100 (Spring 1985): 1–25; "The 1988 Elections: Continuation of the Post-New Deal System," 104 (Spring 1989): 1–18; "The 1992 Vote for President Clinton: Another Brittle Mandate?," 108 (Spring 1993): 1–28; "The 1994 Congressional Elections: The Realignment Continues," (Spring 1995): 1–23.

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nomic positions and that of the country. All these factors contributed to Clinton's reelection.

Still, for all the unpredictability which resulted from short-term factors, one can see the imprint of an underlying sociopolitical setting in the election. Movement from one setting to another precipitates shifts in social needs and problems and in the public's thinking about what needs to be done, and it reshapes the contending coalitions of groups and interests. Early in a realigning era these elements are in flux, and we are often startled by departures from predecessor systems, but the mystery vanishes when the transition is largely complete and we have observed the properties of the new sociopolitical era over a series of elections. That was the situation in 1996.

The U. S. has experienced four great sociopolitical eras. The emergence of each has precipitated broad partisan transformations. The first era involved the post-Revolution maturation of a rural republic that was unprecedentedly egalitarian in resource distribution and social relations but which permitted slavery. The Jeffersonian/Jacksonian party system was the creature of this era. The post–Civil War years saw the growing ascendancy of an urban and industrializing order in the population centers of the North, and a South isolated by memories of the war and by its nonparticipation in industrial development. The Republicans assumed leadership of industrial nation building and from this base gradually established a decisive national majority outside the South. The third broad setting emerged with the maturation of the industrial system, which resulted in an America distinguished by institutional scale, interdependence, and complexity. These developments placed new demands on government, and on national government in particular.[4] Over the last several decades, the U. S. has entered a fourth major sociopolitical period that I call, following Daniel Bell's seminal work on the subject, the postindustrial era.[5] Dispersion and decentralization are as distinctive a feature of the technology and economy in this period as increasing scale and centralization were in the preceding era.

Each of these four eras displays features that reach beyond the socioeconomic setting narrowly construed. Each has witnessed, for example, an important redefinition of the thrusts of American individualism, at once extending opportunities and recognition to groups previously excluded and posing new tensions and problems. Each has had its special mix of ethnic groups and its distinctive frontier of ethnic conflict. That the U. S. of the first era was essentially a nation of British ancestry with a large, enslaved minority of African ancestry was enormously important to the politics of the time; these elements were not, however, products of the rural republic setting. Similarly, politics in the 1990s is influenced by current shifts of ethnic

[4] I have discussed these developments in a number of earlier publications, especially in *American Political Parties: Social Change and Political Response* (New York: W. W. Norton, 1970).

[5] Daniel Bell, *The Coming of Postindustrial Society* (New York: Basic Books, 1973). I have elaborated on implications of Bell's underlying argument for the American party and election system and contemporary U.S. politics generally in "The 1994 Congressional Elections: The Realignment Continues," *PSQ*, 110 (Spring 1995): 3–10.

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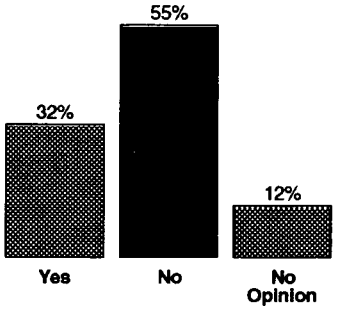
make-up—that are not a feature of postindustrialism, though they accompany it. Each of the four eras demarking U. S. politics historically has had, then, along with its distinguishing socioeconomic core, many other important, ancillary elements.

THE PHILOSOPHICAL REALIGNMENT

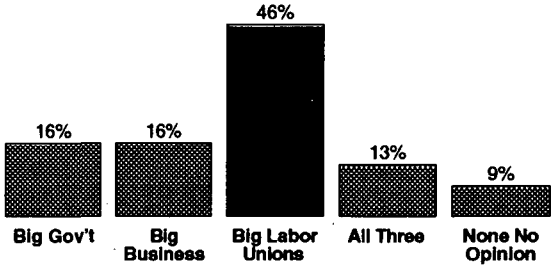
Calling this change in direction in the public's thinking about government and politics a shift toward "conservatism" is, of course, simplistic—as was describing the New Deal change in terms of "liberalism." In every era, the populace displays considerable variety in political outlook, and many people don't sign on unambiguously and *en masse* to any of the contending positions. Given these qualifications, it makes sense to describe the New Deal setting as liberal and the present one as conservative—as long as the meanings attached to these terms are carefully delineated. In the political era bounded by Franklin Delano Roosevelt's election in 1932 and Lyndon Banes Johnson's Great Society of the mid–1960s, public support for expanding governmental programs and initiatives was high, set against American historical experience. Few thought, for example, that there was too much power in the hands of the national government.

FIGURE 1

Does the government in Washington have too much power? (Gallup, April 1941)



Where is the danger of a group becoming too powerful? (ORC, September 1954)



See Appendix 1 for the full question text and related data.

Our postindustrial era is distinguished by far greater skepticism about government, though for most not by hostility toward it. This shift has two different sources. For one thing, it took the creation in the Great Society years of "big government" with its inevitably more visible failings to swing individualist America away from its relatively brief and historically anomalous enthusiasm for expanding national government. The other source comprises the dispersion and decentralization

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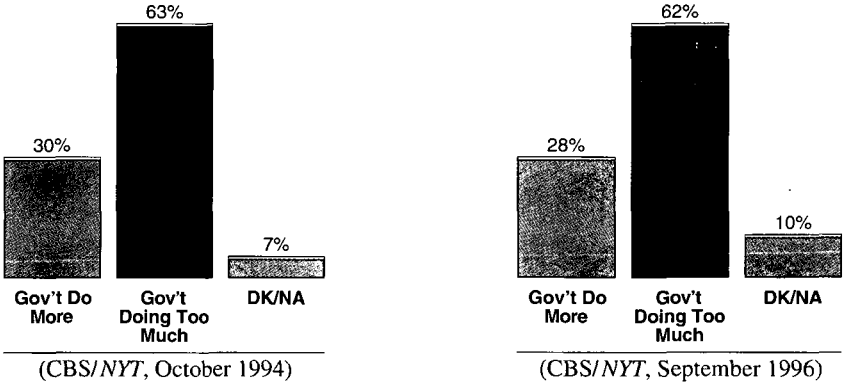
induced by postindustrialism, that have made central national government bureaucracy seem ever more cumbersome and out of phase. Americans have not come to see less government as progress—as some Republicans found to their acute disappointment in the public's response to the work of the 104th Congress in its first year. But we have come rather decidedly to reject the idea that more government is progress.

In the mid–1990s the U. S. is no longer seeing significant year-to-year change in public sentiment about government and its proper role. The 1994 congressional elections were widely taken as a call for a Republican-led "revolution" against the New Deal/Great Society state, although much of the commentary in 1996 had Americans calling off this revolution (if indeed they had ever sought it). But survey data show great continuity over this span in public thinking about government.

FIGURE 2

Should government do more to solve national problems or is it doing too much?



See Appendix 2 for the full question text and related data.

The conservative swing indicated by these data has not, of course, occurred evenly across the population. African-Americans give much more support than most other groups to a broader governmental role. Differences by gender are less striking, but women in 1996 continued to provide more support than men for governmental activism—which probably goes far toward explaining the electoral gender gap evident again in the 5 November balloting (Figure 3). The 1996 election day voters' poll taken by Voter News Service (VNS) found big regional differences on how much government is desirable, with Texans at one end of the continuum and New Yorkers at the other (Table 2). Overall, though, questions posed by the opinion polls in 1996 confirmed the electorate's desire to stay with a relatively conservative stance on role-of-government questions.

Two sets of surveys—one taken by the Hart and Teeter research companies for NBC News and the *Wall Street Journal*, the other by Gallup for CNN and *USA Today*—point up the extent to which today's relatively conservative mood reaches

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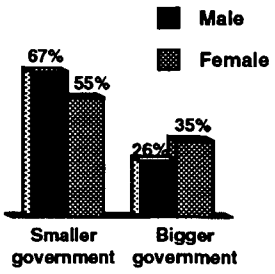
FIGURE 3

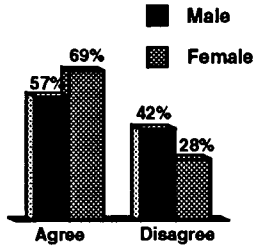
More Women than Men Support Government Activism

Question: If you had to choose, would you rather have a smaller government providing fewer services, or a bigger government providing more services?



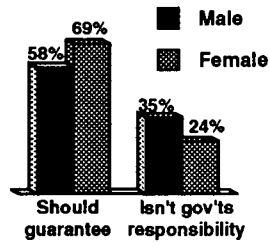
Source: Survey by CBS News/ *New York Times*, 22–24 February 1996.

Question: Do you agree or disagree that the federal government should see to it that every person who wants to work has a job?



Source: Survey by CBS News/ *New York Times*, 22–24 February 1996.

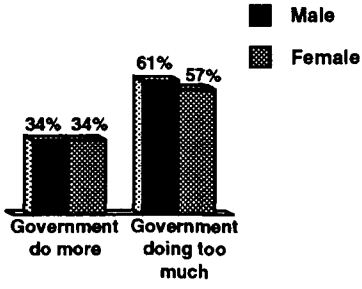
Question: Do you think the government in Washington should guarantee medical care for all people who don't have health insurance, or isn't that the responsibility of the government in Washington?



Source: Survey by CBS News/ *New York Times*, 22–24 February 1996.

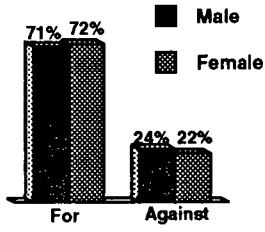
Though Both Sexes Call Government Too Big and Untrustworthy

Question: Which comes closer to your view: Government should do more to solve national problems, or government is doing too many things better left to businesses and individuals?



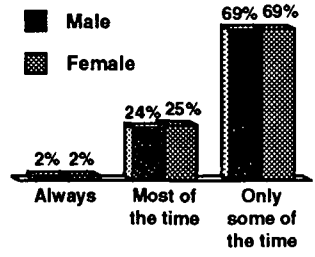
Source: Survey by CBS News/ *New York Times*, 31 March–2 April 1996.

Question: . . . Please tell me whether you would vote for or against each of the following propositions. . . . A reduction in the size and budget of all government agencies.



Source: Survey by the Gallup Organization, 23–25 April 1996.

Question: How much of the time do you think you can trust government in Washington to do what is right: just about always, most of the time, or only some of the time?



Source: Survey by the Gallup Organization for CNN/*USA Today*, 9–12 May 1996.

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TABLE 2

Big State-to-State Differences in Calls for "Less Government"
(1996 Exit Poll Findings)
(in percentages)

Question: Which comes closer to your view: . . . ?

	. . . Gov't is doing too many things better left to business and individuals	. . . Gov't should do more to solve problems
National	52	41
Texas	65	31
Oregon	62	33
Maine	61	37
New Hampshire	61	34
Minnesota	60	37
Wisconsin	59	37
California	58	37
Georgia	58	38
Ohio	57	39
Washington	57	38
Connecticut	55	39
North Carolina	55	41
Pennsylvania	55	40
Florida	54	42
Tennessee	54	40
Massachusetts	48	47
New Jersey	46	49
New York	45	50

Note: States shown are only those where the question was asked.
Source: Exit poll by Voter News Service, 5 November 1996.

beyond role-of-government issues. Hart and Teeter asked respondents which political party they thought would do a better job handling fourteen issues (Table 3). The list is a carefully balanced one reaching across the policy spectrum, including foreign policy, crime, taxes, reforming welfare, Medicare, and education. At this supposed low point in GOP fortunes, pluralities gave the party the edge on nine of the fourteen. These 1996 assessments can be compared to those made in 1994 just before voters elected Republican majorities to the House and Senate. In May 1996, when Hart and Teeter asked about ten of the fourteen issues they had examined in mid–October 1994, they found no change during this nineteen-month period. Not only did Republicans lead on the same seven (of the ten) in both October 1994 and

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TABLE 3
The Parties Hold Their Ground on Issues
(in percentages)

Question: When it comes to [each item], which party do you think would do a better job—the Democratic Party, the Republican Party, both about the same, or neither?

May 1996			October 1994	
Republican	Democrat		Republican	Democrat
43	15	Controlling government spending	34	21
43	20	Foreign policy	34	15
36	21	Promoting strong moral values	38	20
31	21	Crime	28	23
34	25	Taxes	38	23
30	26	The economy	30	22
35	31	Reforming the welfare system	31	28
25	34	Abortion	24	31
24	40	Education	21	34
22	42	Healthcare	25	37
35	18	*Immigration*	–	–
21	19	Drug problem	18*	15
26	45	Medicare	22**	33
17	45	The environment	15*	44

* 22–26 October 1993
** 2–6 June 1995
Source: Surveys by NBC News/ *Wall Street Journal*, 10–14 May 1996 and 14–18 October 1994.

May 1996, but they led by virtually identical margins. They gained 15 points on the Democrats on controlling government spending, while losing 8 points on health care, but on most issues the shift was minuscule.

In late April 1996, Gallup conducted an opinion referendum for CNN and *USA Today* in which respondents were asked how they would vote, supposing that "on election day this year you could vote on key issues as well as candidates," on twenty-six propositions, including a balanced budget amendment (BBA), prayer in schools, the death penalty for murder, and a ban on assault rifles. As in the Hart-Teeter survey, the overall list was balanced. A few of the propositions, such as doctor-assisted suicide and selling off public lands, don't fit on a liberal-conservative continuum; but by my count twenty of the twenty-six do. On only five of the twenty issues did pluralities come down on the liberal side: banning assault rifles, reducing defense spending, raising the minimum wage, (not) reducing social spending, and (not) banning all abortions except to save the life of the mother. On

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most of the fifteen issues where the conservative side carried, including the BBA, term limits, reducing all government agencies, and school choice, it did so overwhelmingly (Figure 4).

The Realignment Has Not Produced a New Majority Party

As noted, although the philosophical side of the postindustrial realignment has come swiftly and decisively, the partisan side has not. The 1996 balloting reflected the general partisan parity that has prevailed since the postindustrial system took clear form a decade and a half ago. Clinton won reelection, and the Republicans retained congressional majorities. Republicans now lead the Democrats in governorships by thirty-two to seventeen (with one independent in Maine), one of their largest margins ever; but the Democrats still lead in state legislative seats, 3,883 to 3,470 (though this margin is down sharply from what it was after the 1992 vote).

TABLE 4

State Legislatures: GOP Closing But Democrats Still Lead

1996		1994		1992	
Republicans	Democrats	Republicans	Democrats	Republicans	Democrats
Members of State Legislatures					
3470	3883	3491	3846	3005	4342
Control of State Legislative Chambers by Party					
46	50	47	48	29	66
State with Both Legislative House and Governor of Same Party					
12	6	15	7	3	16

National surveys asking about partisan identification typically find a small Democratic edge, on the order of 2-to-4 percentage points. Thirty-nine percent of those interviewed by the VNS on 5 November called themselves Democrats, 35 percent Republicans. There has been no significant movement in party identification distributions since 1984—the point at which Reagan's leadership and Democratic missteps had brought the Republicans back from their deep deficit to parity.

Two different explanations may be offered for this state of affairs. One focuses on failures of leadership in both parties, the other on underlying characteristics of the contemporary electorate and the way elections are now conducted. Elements of both may be valid.

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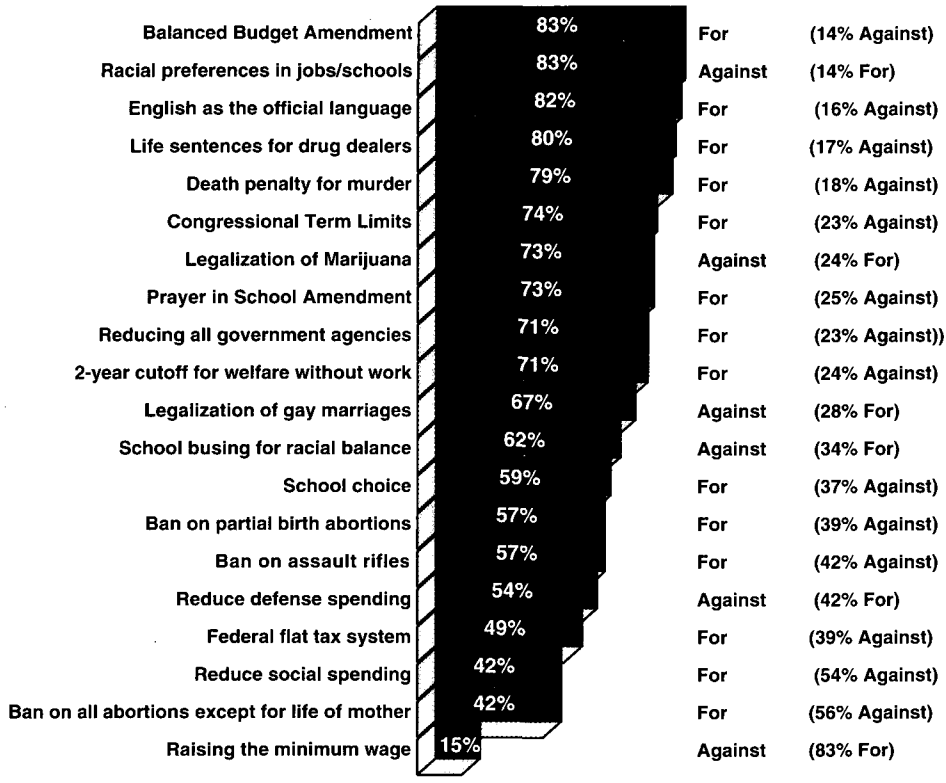
FIGURE 4

The 1996 Gallup Opinion Referendum Found a Distinctly Conservative Tilt

Question: Suppose that on election day this year you could vote on key issues as well as candidates. Please tell me whether you would vote for or against each one of the following propositions?


Balanced Budget Amendment 83% For (14% Against)
Racial preferences in jobs/schools 83% Against (14% For)
English as the official language 82% For (16% Against)
Life sentences for drug dealers 80% For (17% Against)
Death penalty for murder 79% For (18% Against)
Congressional Term Limits 74% For (23% Against)
Legalization of Marijuana 73% Against (24% For)
Prayer in School Amendment 73% For (25% Against)
Reducing all government agencies 71% For (23% Against))
2-year cutoff for welfare without work 71% For (24% Against)
Legalization of gay marriages 67% Against (28% For)
School busing for racial balance 62% Against (34% For)
School choice 59% For (37% Against)
Ban on partial birth abortions 57% For (39% Against)
Ban on assault rifles 57% For (42% Against)
Reduce defense spending 54% Against (42% For)
Federal flat tax system 49% For (39% Against)
Reduce social spending 42% For (54% Against)
Ban on all abortions except for life of mother 42% For (56% Against)
Raising the minimum wage 15% Against (83% For)

Source: The bars show the percentage of all respondents taking what is conventionally called the more conservative response on the issue. The numbers shown in parentheses after the bars are the percentages taking the opposing response. Included in the referendum but not shown here are the following items: withdrawal of U.S. from UN, five-year freeze on legal immigration, reestablishing relations with Cuba, doctor-assisted suicide, mandatory job retraining, and selling off public lands.

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Explanation One

At any time, decisions and actions of a party's leaders will be, in varying degrees, helpful or harmful to its standing. Today it may be argued that neither party has produced leaders able to reconcile contending themes and impulses in voters' thinking in anything like the persuasive fashion achieved by Franklin Roosevelt, Theodore Roosevelt, Abraham Lincoln, Andrew Jackson, and Thomas Jefferson. Ronald Reagan did strengthen the Republican party by understanding the extent of the philosophical realignment that was occurring and by being the kind of political personality—sunny and optimistic—Americans persistently seek in presidents. But he has found no successor. Whereas Reagan grew up politically a Roosevelt Democrat, both George Bush and Bob Dole entered Republican politics in an era of Republican failure. Theirs is—in a way the older Reagan's never was—a prerealignment Republicanism. Many postrealignment Republican conservatives have long complained about this. Bush and Dole are clearly in the American conservative tradition, but their roots are in the conservatism-in-retreat era of GOP minority status. The delay in bringing a new generation of Republican leadership to the fore in the presidential party has blunted Republican efforts to expand their base.

Along with these weaknesses in recent Republican presidential leadership, the party's congressional leadership overreached in 1995—mistaking the public's clear rejection of the idea that "more government is progress" for a conclusion it has not reached, that "less government is progress." There may have been an "underreach" in the Republicans' response—one that 1996 presidential hopeful Lamar Alexander discussed in a *Wall Street Journal* op-ed piece following the election. To become the majority, Alexander argued, Republicans need to do more than demonstrate failures of the New Deal/Great Society state. They must offer plausible alternatives to it, ones that meet public expectations for a better society. New solutions need to be offered, clearly and positively. Alexander gave the following example of what, he believes, Republican politicians need to say and do: "Nothing is more important to me than making it possible for you to send your child to such a school, one of the best schools in the world—a safe, neighborhood school where every child is expected to behave and learn high standards. I am ready to make the changes necessary to create those schools and give you those opportunities, and the Democrats are not. There will be time to explain the policies—charter schools, high standards, a GI Bill for Kids—*after* we paint the picture." [6]

As the GOP was encountering its problems, national Democratic leaders were trying to respond to criticisms of the failings that had contributed to their party's electoral decline. From the Vietnam War on through the 1980s, the national Democratic party seemed unaware of the extent of the emerging conservative realignment. The party seemed tone deaf. This was the situation in which Bill Clinton and his party found themselves in December 1994 after their "blow-out

[6] Lamar Alexander, *The Wall Street Journal*, 24 December 1996, A12.

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defeat." Subsequently, though, the president has changed direction. He has been criticized for waffling and lacking firm principles. But it is sometimes hard to tell precisely where waffling and lacking principles leave off and pragmatism and flexibility begin. Since the 1994 debacle, the determinedly centrist thrust of his speeches and such decisions as signing the welfare overhaul bill in 1996 helped Clinton give a new look to the national Democratic party.

The President's December 1996 DLC speech is especially instructive on the reach of his effort to redirect the Democratic party so as to bring it into phase with the philosophical realignment. He called upon the party to mobilize the "vital center" by making six main commitments:

- balance the budget;
- give young people the best education in the world;
- reform welfare by demanding "responsibility of welfare recipients," while avoiding the more "punitive" aspects of Republican approach;
- press the fight against "gangs and guns and drugs and violence;"
- strengthen families; and
- pass "meaningful campaign finance reform legislation and modernize government operations."

While there are liberal elements in such program—e.g., seeking expanded family leave (though "in a very limited way")—his call to the DLC meeting, like much of his 1996 campaign, was largely devoid of a liberal agenda.

Explanation Two

An alternate explanation begins with an entirely different perspective—that the chief reason no party has majority status is that large segments of the electorate are abandoning firm partisan ties. For decades many political scientists and journalists were mesmerized by the New Deal realignment, which had seen a new majority emerge quickly and decisively. *Realignment* became virtually synonymous with *new majority*, but the historical record shows that each of the country's historic realignments followed its own course.[7] Broad changes in social structure, yielding new demographics, new social problems, and new views of government's role and policy needs, need not result in one party's ascendancy for an extended period.

There is strong evidence that the continuing weakening of voter ties to parties is one key dimension of postindustrialism. Growing segments of the electorate are

[7] I have criticized this dimension of the realignment literature in "Like Waiting For Godot: The Uselessness of Realignment for Understanding Change in Contemporary American Politics." I meant by the title not realignment as major transformation of the party and election system but realignment in the "critical elections" New Deal model. This paper, first presented to the 1989 meeting of the American Political Science Association in Atlanta, was subsequently published in *Polity*, 22 (Spring 1990): 511–25; and in Byron E. Shafer, ed., *The End of Realignment? Atrophy of a Concept and Death of a Phenomenon* (Madison: University of Wisconsin Press, 1991), chap. 2.

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thereby up for grabs in each contest. The postindustrial electorate is more highly educated and more confident of its ability to make political judgments independent of party cues. It draws its information not from party-influenced sources but from independent, adversarial mass media. Surveys such as one the Roper Center conducted for the Media Studies Center in November/December 1995 show national journalists heavily Democratic in both party identification and presidential voting.[8] The idea that journalists, however disciplined professionally, can escape in their reporting the claims of their underlying political preferences, seems to me as silly as claims that those of us teaching American government and politics can approach our students unencumbered by our own political preferences. But journalists are surely right when they insist that their overriding guide *is not* loyalty to a political party. They see themselves in an adversarial relationship to parties generally. Today most Americans derive their political information from a source that tends to discourage rather than to encourage stable party loyalties.

Political parties just are not important institutions for most Americans today. Contrary to arguments advanced by Robert Putnam and others, I find evidence that "civic America" remains active and vital.[9] But political parties, never huge actors in civic America, are perhaps smaller ones now than ever before. There seems to be a general inclination across the public to reject the confines of "us and them" distinctions. We see this in religious group identification, where the proportion describing themselves as Protestant or Catholic is yielding to a growing proportion choosing the label "other Christian." Seventeen percent of voters interviewed by VNS on 5 November 1996 chose this "I don't want to be part of that old divide" response, as did 19 percent in the election day poll done by the *Los Angeles Times* nationally.[10] Similarly, being tied to the Republican or Democratic side seems to draw less favor than in times past.

Survey work done by the Roper Center for the Media Studies Center in 1996 reveals an electorate remarkably unanchored in partisan terms. Thus 65 percent indicated in the February 1996 poll that they "typically split [their] ticket—that is, vote for candidates from different parties." In 1942, Gallup had found that only 42 percent describing themselves as ticket splitters. Sixty-three percent said, in 1996, that they had "voted for different parties for president" in past elections. Back in

[8] See Kenneth Dautrich and Jennifer Necci Dineen, "Media Bias: What Journalists and the Public Say About It," *The Public Perspective* (October/November 1996): 7–10.

[9] The argument that "civic America," or the country's "social capital," is in decline has been variously advanced by a number of observers, most prominently by Robert D. Putnam, "Bowling Alone: America's Declining Social Capital," *The Journal of Democracy,* 6 (January 1995): 65–78; and in a series of articles: "The Strange Disappearance of Civic America," *The American Prospect* 29 (Winter 1996): 34–48; "Tuning In, Tuning Out: The Strange Disappearance of Social Capital in America," *PS: Political Science and Politics* 28 (December 1995): 664–683. My colleagues and I have examined these articles and relevant data and reached conclusions that differ sharply from Putnam's. See Ladd, "The Data Just Don't Show Erosion of America's 'Social Capital,'" *The Public Perspective* 7 (June/July 1996): 1, 5–22; and related articles by other authors in this same issue.

[10] A small proportion of respondents (for example, Mormons) really aren't Protestant or Catholic Christians, but most "other Christians" belong to new, nondenominational churches.

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1952, when the University of Michigan's Center for Political Studies first asked this question, just 29 percent reported having voted for different parties in past contests.

An experiment the Roper Center conducted in its February 1996 survey gives further indication of how weak party ties are for many voters, even when voters claim ties in some form. The Center asked the party identification question regularly used by the National Election Studies (NES): "Generally speaking, do you usually think of yourself as a Republican, a Democrat, an independent, or what?" Thirty-six percent identified with the Democratic party, 33 percent with the Republican party, and 24 percent claimed to be independents. The Center also asked another, different party identification question: "In your own mind, do you identify with one of the political parties or not?" If the respondent said yes, a follow-up asked, "Which party . . .?"

The bivariate relationship between the NES question and the Roper question is instructive. Only three-quarters of Republican identifiers on the NES item were recorded as Republicans by the Roper Center question, and only two-thirds of Democrats on the NES measure remained Democrats in the Roper version. Overall, 32 percent of voters gave no consistent response—that is, were not Republican/Republican, Democrat/Democrat, or Independent/No Party—on the two questions. On both askings, only 24 percent of registered voters identified with the Republicans and 24 percent with the Democrats. Thus, in both measures, a slight majority (52 percent) did not consistently identify with either major party. Even those who were "consistent" Democrats or Republicans said that they often do not vote the party line: about 60 percent of both groups typically vote split tickets.

TABLE 5

In the same poll, on two occasions, at least one-fifth of those who called themselves Democrats or Republicans in the NES party identification question didn't identify with a party in the Roper Center question on party ID

(Column percentages: read down)

Roper Center ID	NES ID (February 1996)			NES ID (September 1996)		
	Rep.	Dem.	Ind.	Rep.	Dem.	Ind.
Yes, Rep.	76	1	11	77	1	12
Yes, Dem.	2	69	11	4	78	21
Don't identify	22	30	78	19	20	67

In September 1996, the Roper Center recontacted more than 500 randomly selected voters from the February survey in this panel study. It again posed the party identification questions and found significant movement in the NES measure over this seven-month span. Eighteen percent of those calling themselves Republicans in the February survey said in September that they were Democrats or independents,

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and 24 percent of Democrats in February said they were Republicans or independents in the fall.[11]

TABLE 6

Roughly one in five who called themselves Republicans or Democrats in February rejected this description in September. (Column percentages: read down)

		NES ID (February 1996)		
		Rep.	Dem.	Ind.
NES ID (September 1996)	Republican	81	4	9
	Democrat	7	76	15
	Independent	11	20	62

Such erosion in party loyalties makes it appear unlikely that the U. S. will in its postindustrial era experience a majority party of the type that the Democrats had in 1836, the Republicans in 1900, or the Democrats in 1940. The electorate is too weakly tied to parties to sit still as the "sun and moon" model that Lubell used in describing the New Deal party system requires.

Divided Government

The U. S. historically has had two prolonged periods where divided government has been the rule not the exception: the half-century or so from the early 1840s through the mid–1890s, and the period from the mid–1950s to the present. In both eras major realignment was occurring. And in both, neither of the major parties had attained majority status. The first was a time of slow, incomplete realignment that left both parties at rough parity for an extended span. By the time of the Civil War, although the new Republican party had come far, the Democrats had "won" a truly solid South and retained substantial Jacksonian-era-type backing outside Dixie. Not until industrialization had progressed far enough to erode the socioeconomic fabric of Jacksonian America did national Republican ascendancy become possible.

The divided government of our era also reflects the fact that changes in party strength have been occurring slowly. The Republicans have again gained ground (not, of course, as a new party but by progressing from their weak number two position during most of the New Deal/Great Society years), but they have climbed

[11] For a further discussion of the party identification data from the Roper Center/Media Studies Center surveys, see Kenneth Dautrich, "Partisan Instability in the 1996 Campaign," *The Public Perspective* (October/November 1996): 52–54.

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only to parity. This relatively even, two-party balance doesn't mandate that control of government will be divided, but it makes split results more likely.

Today—in contrast to the late nineteenth-century experience—a growing segment of the electorate really doesn't belong to any party and is disinclined to place much long-term faith in either party's leadership or direction. Historic American political individualism has long helped sustain our Madisonian Constitution, through which governmental authority is divided among different institutions (presidency, Congress, federal courts; national government, state and local governments) each with powerful resources to resist the other. Madisonianism has now become overlaid with a new feature: the unwillingness of many voters to commit themselves to any party.

Why hasn't the postindustrial realignment yielded a new majority party? Will it in the future? My strong understanding is that large parts of both interpretations just reviewed are valid. Both major parties are groping for a satisfactory response to the electorate's changed outlook, following the decisive but subtle realignment of political outlook. Finding the right leadership and voice could advance either party toward majority status. But this said, today's postindustrial sociopolitical environment makes it exceedingly difficult for any party to establish stable, long-term loyalties across much of the population.

Social Group Alignments

Republicans won the three presidential elections of the 1980s and have lost the two of the 1990s. But while the parties' presidential fortunes have waxed and waned with the popularity of their candidates and voter reactions to current conditions, the underlying structure of social group support has remained essentially unchanged. The groups that in 1996 were the Republicans' best had been their best in the immediately preceding elections; the same is true for the Democrats.

Data from the exit polls done by Voter News Service show how closely Clinton's 1996 coalition resembled that of 1992 (see Appendix 3). His share of the popular vote was up among most groups because it climbed 6.2 percentage points for the entire electorate. Dole's popular vote percentage, compared to George Bush's, rose 3.4 points, and Ross Perot's declined 10.4 points. Perot's support base shrank massively but in even proportions across the various groups (Appendix 3). His 1996 support was 11 points down among whites, who had given him a whopping 20 percent in 1992, down 3 points among African-Americans, among whom he had been extremely weak four years earlier; his support was cut roughly in half in both groups. VNS also found Perot's 1996 drop-off roughly comparable in each income stratum. In both elections he did better among men than among women and much better among independents than among Democrats or Republicans; he lost support between 1992 and 1996 in similar proportions in these groups.

Clinton made a big gain among voters of Hispanic background—presumably in reaction to highly publicized, Republican-led efforts on immigration reform, such as that by Governor Pete Wilson in California. The president strengthened his position

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among women voters more than among men. But on the whole, the Clinton, Perot, and (though not shown in Appendix 3) Dole votes in 1996 reflected a "universality of trends" from the 1992 balloting—modest increases for both major party candidates among most groups as Perot plummeted everywhere.

Asking voters whether their financial situation was getting better, worse, or staying the same produced an instructive caution on the matter of what causes what. Those who in 1996 said their financial position was getting better gave Clinton a 42-percentage point higher share of their votes than did those who in 1992 had said their finances were improving. A Republican occupied the White House in 1992, a Democrat in 1996. It is likely that many people who had decided to vote for Bush in 1992 wanted to give *him* economic credit by declaring that their economic position was improving; and similarly, the very different group of voters who had wanted to reelect the incumbent Democrat in 1996 sought to give him economic credit. Whether one's financial situation was improving or getting worse was not perhaps the operative dimension here—that causality ran the other way. I suspect that many respondents wanted to square their description of their personal economic position with an otherwise-determined decision on how to vote.

Race, Region, and Religiosity

The racial background of voters, the region in which they live, and the extent of their religious participation have become in the postindustrial party system especially powerful factors in differentiating such political choices and stances as vote for president and Congress, party identification, and liberalism/conservatism. Neither race nor religiosity had been key variables in the New Deal years; and though region was central then as now, today's regional alignment is virtually a mirror image of that in the preceding era.

Even in 1996, when their presidential nominee ran weakly, the Republicans received a plurality of the presidential ballots of non-Hispanic whites and a decisive majority of white voters' congressional ballots (Appendices 3 and 4). African-Americans moved into Democratic ranks following the Great Depression; but they were not a major part of the New Deal electorate because their voting rights were denied in much of the South and because Republicans retained significant support in the African-American community. Since 1964, however, African-American voters have backed Democratic candidates overwhelmingly almost every time and everywhere. In 1996 congressional votings, Southern whites backed GOP candidates by nearly two to one, leaving the black vote the major support for Democrats in the region. This was the case in Louisiana, for example, when Democrat Mary Landrieu narrowly defeated Republican Woody Jenkins by winning 91 percent of the black vote (VNS exit poll), but only 32 percent of the white vote. Persons of Hispanic background were 4 to 5 percent of the electorate in 1996, according to the VNS exit poll. They backed Clinton and Democratic congressional candidates by roughly three to one—substantially greater margins than in past elections (Appendices 3 and 4).

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TABLE 7

Frequency of Religious Attendance Sharply Differentiates Americans Politically
(in percentages)

Question: How frequently do you attend religious services, or do you never attend religious services?

	Presidential Vote			Congressional Vote	
	Clinton	Dole	Perot	Democrat	Republican
Never/Don't practice a Religion = 9%	62	22	12	63	29
Less than once a year = 9%	54	31	15	55	38
Once a year = 7%	57	30	11	56	39
Several times a year/Once a month = 27%	53	36	9	54	41
Several times a month = 13%	46	49	4	47	50
Once a week = 23%	43	49	7	45	51
Several times a week or more = 12%	33	60	6	35	61

	Party Identification of Voters			Self-Described Ideology of Voters		
	Democrat	Republican	Independent	Liberal	Conservative	Middle-of-the-Road
Never/Don't practice a Religion = 9%	62	22	12	63	29	29
Less than once a year = 9%	42	29	28	16	24	60
Once a year = 7%	46	32	22	20	26	53
Several times a year/ Once a month = 27%	44	32	23	19	29	52
Several times a month = 13%	41	37	20	14	40	46
Once a week = 23%	41	42	16	14	40	46
Several times a week or more = 12%	30	51	17	9	61	31

Source: Los Angeles Times Exit Poll, 5 November 1996.

Religion—from Denomination to Religiosity

Historically, the religious factor has been central in American politics—but with religion operating largely as a surrogate for ethnicity in the form of denominational affiliation. Older ethnic groups (in time of arrival in the United States) tended (outside the South) to back the Republicans, newer groups the Democrats; the former are heavily Protestant, the latter Catholic. This historic ethnic/denominational dimension can still be seen, but it has greatly eroded. In the 1996 vote for the U. S. House of Representatives, for example, non-Hispanic Roman Catholics gave Republicans a small plurality for only the second time in U. S. history. They first did so in 1994. (See Appendix 4.)

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TABLE 8
1996 Vote and Political Stance by Region and Religiosity
(in percentages)

Region	Frequency of Church Attendance	Presidential Vote			Self-Described Ideology		
		Clinton	Dole	Perot	Liberal	Conservative	Moderate
Northeast	Rarely	62	27	9	23	22	56
Midwest	Rarely	60	27	12	22	23	55
Northeast	Occasionally	56	39	4	19	26	55
West	Rarely	51	32	13	20	26	54
Northeast	Regularly	50	43	5	14	41	45
South	Rarely	50	38	11	19	32	50
Midwest	Occasionally	48	43	7	12	33	55
South	Occasionally	44	52	4	14	40	46
West	Occasionally	40	53	5	19	37	44
Midwest	Regularly	39	50	10	11	47	42
South	Regularly	37	56	6	13	49	39
West	Regularly	32	61	6	11	52	37

Religiosity, not denomination, sharply divides the electorate. Table 7 shows the extraordinary power of just one measure of religious participation: frequency of religious service attendance. According to the *Los Angeles Times* exit poll, those who do not practice a religion (9 percent of the electorate) backed Clinton by 62-to-22 percent; those who attend services regularly (once a week or more) gave Dole a large margin. House voting, party identification, and liberalism-conservatism all show this same strong pattern.

The relationship between religiosity and the vote is strong for both non-Hispanic whites and for Hispanic-Americans. For example, 51 percent of the former who rarely ever attend religious services voted for Clinton on 5 November, while just 31 percent of non-Hispanic whites who attend church regularly backed the president. Among Hispanics who rarely attend church services, 77 percent voted for Clinton, while among those who attend regularly, 64 percent voted for him. Among African-Americans, however, there is no relation whatsoever between frequency of church attendance and vote choice or party identification. According to the *Los Angeles Times* exit poll data, 87 percent of African-Americans who rarely or never attend church backed Clinton—and 89 percent who attend church regularly did so.

Region

A solidly Democratic South was a key component of the New Deal Democratic majority, as it had been a major part of the Democrats' coalition in the preceding

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Republican era. The South has long since swung Republican, however; and in 1996 it solidified its position as the Republicans' best region. When the election was over, there were fifteen Republican senators from the eleven states of the old confederacy and only seven Democrats; seventy-one Republican members of the U. S. House and fifty-four Democrats; and eight Republican governors compared to three Democratic. In the state legislatures of the region, Democrats still outnumber Republicans (1,061 to 712), but the GOP has made huge gains since 1992.

At the same time, the Northeast in general and New England in particular have moved steadily Democratic. On 5 November 1996, Massachusetts and Rhode Island gave Bill Clinton his biggest margins among the fifty states, and Clinton's worst New England State, New Hampshire, backed him by a margin roughly 3 points bigger than what he gained nationally. Figure 5 shows the long march of New England and the South away from their historic partisan homes.

Table 8 shows the powerful interaction of region and religiosity in shaping the contemporary electorate. The narrower frequency of church attendance categories used in Table 7 have been combined here into three broader groupings: persons who say they never attend religious services or do so rarely, those who attend occasionally (once a month to several times monthly), and those who attend at least weekly. Southerners who rarely or never participate in church services gave Bill Clinton a large plurality in 1996; those who attend regularly backed Bob Dole by a margin of roughly 20 points. Northeasterners who attend church regularly were the only group of regular attendees to give Clinton a plurality, but they gave him a much smaller margin (7 points) than those in the region who do not attend services (a 35-point Clinton margin).

The Gender Gap—Again

The gender gap has become an important dimension of American politics in the postindustrial era in large part, probably, because of the big growth that has occurred in single-parent families, disproportionately female-headed, and the consequent feminization of poverty. But if gender is now an important discriminating variable—which it was not in the New Deal system—the divide it locates is by no means among the most prominent. Differences separating whites and blacks are, obviously, far larger; and so are many others, including those stemming from religiosity and regional subcultures.[12]

The VNS exit poll taken 5 November found women giving both Bill Clinton and Democratic House candidates solid margins; men split evenly in presidential voting and give Republican House candidates an 8-point edge (Appendices 3 and 4). White men backed Dole by an 11-point margin, and white women favored Clinton by 5 points. In U. S. Senate races, Democratic candidates, male and female alike,

[12] I have discussed gender differences in contemporary politics in a number of other publications. See, in particular, Everett C. Ladd, "Media Framing of the Gender Gap," in *Women, Media, and Politics*, Pippa Norris, ed. (New York: Oxford University Press, 1997), 113–128.

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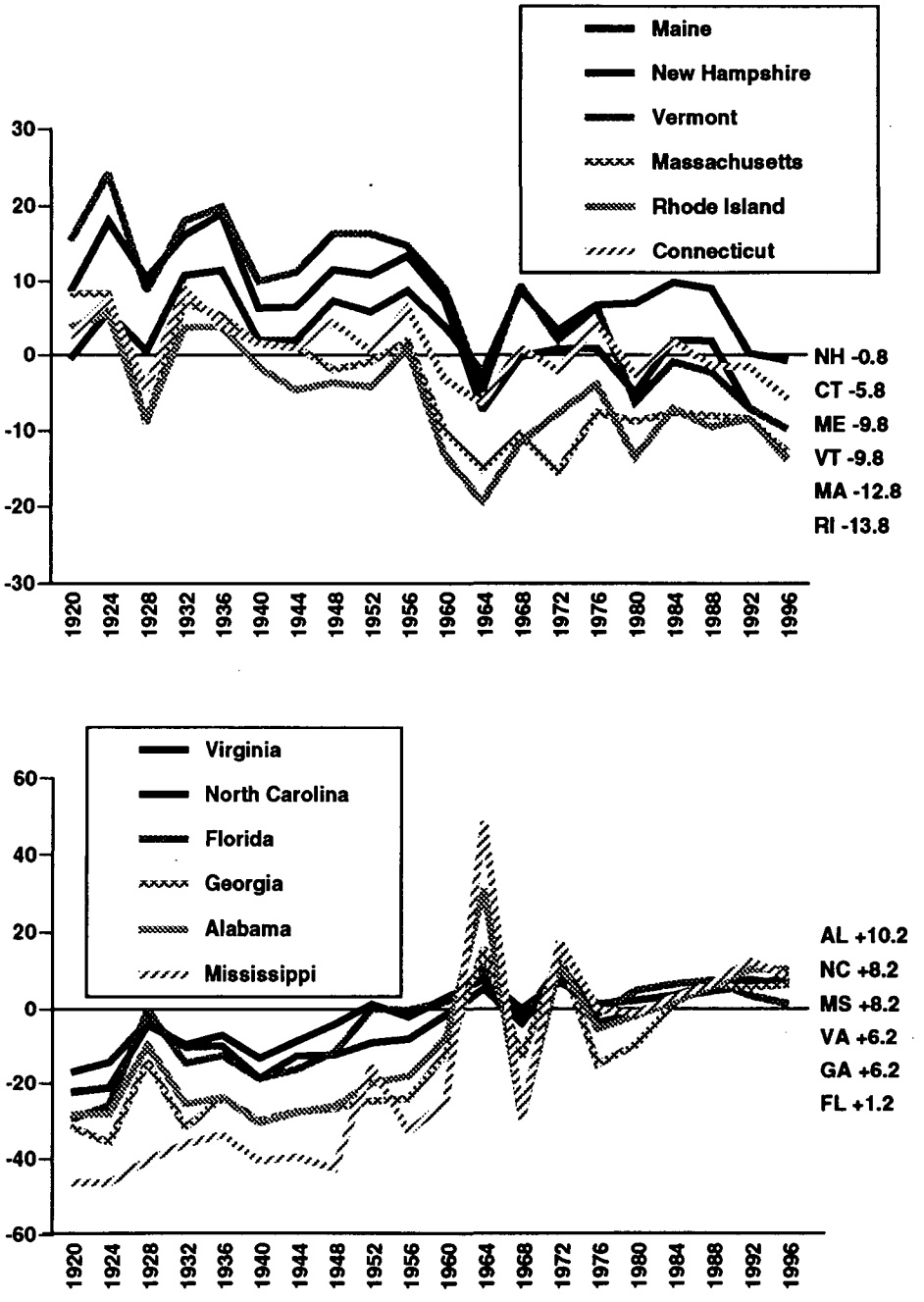
FIGURE 5

Both New England and the South Leave Home

The percentage-point margin by which the state's popular vote for the GOP candidate exceeded or trailed the Republican percentages nationally.



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typically received higher proportions of women's than of men's votes in most states (Appendix 5).

POSTINDUSTRIALISM'S POLITICAL STATUS QUO

The 1996 election results were momentous—and in one sense a sharp departure from modern U.S. political experience. Bill Clinton became the first Democrat to win election to the presidency and then reelection since FDR. And the Republicans won consecutive congressional elections for the first time since 1928.

Nonetheless, the continuities evident in the 5 November balloting are in many ways more striking than the above departures. Voters again elected a president of one party and gave congressional majorities to the other, though for the first time this century it was the presidency that was held by the Democrats and the Congress that remained in control of the Republicans. They again signaled a desire to curb the growth of national government, though not to cut it greatly. The social group alignments of the New Deal years have been so altered that "obliterated" is not too strong a verb. Indeed, today's alignment differs from the New Deal's more than the latter differed from the preceding Republican era's. Race, region, and religiosity continued in 1996 to split the U.S. electorate in ways without precedent.

Americans remained remarkably unanchored in partisan terms. Substantial numbers of those who still call themselves party adherents identify with one or the other party very weakly. Regular party identifiers are now too small a proportion for anyone to win the presidency largely on party terms. In this setting presidential elections, especially when an incumbent is running, hinge more than ever on short-term factors such as the perceived state of the economy, together with the comparative personal standing of the main contenders. Bill Clinton won decisively the vote of those uncommitted in partisan terms and thereby gained his victory.*

* I wish to express my deep appreciation to the following colleagues for their valuable contributions in data analysis and manuscript preparation: Janice Berriault, Cathy Cuneo, Regina Dougherty, Rob Persons, Marianne Simonoff, and Lynn Zayachkiwsky.

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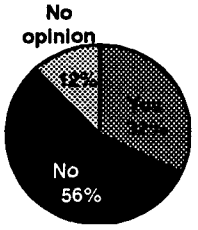
APPENDIX 1

Greater Confidence in Government and Support for More National Government in the New Deal Era

1941

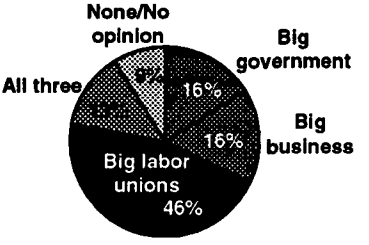
Question: Do you think there is too much power in the hands of the government in Washington?



Source: Survey by the Gallup Organization, 10–15 April.

1954

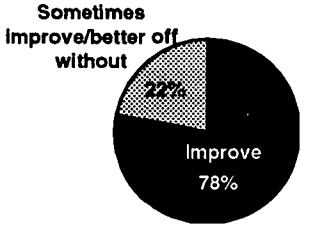
Question: One problem is keeping any group in the United States from getting too big and too powerful. Where do you feel this problem is greatest today. . . ?



Source: Survey by the Opinion Research Corporation, 23 August–3 September 1954.

1960

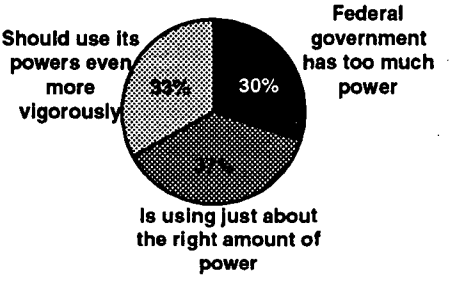
Question: On the whole, do the activities of the national government tend to improve conditions in this country or would we be better off without them?



Source: Survey by the National Opinion Research Center of International Studies, Princeton University, March 1960.

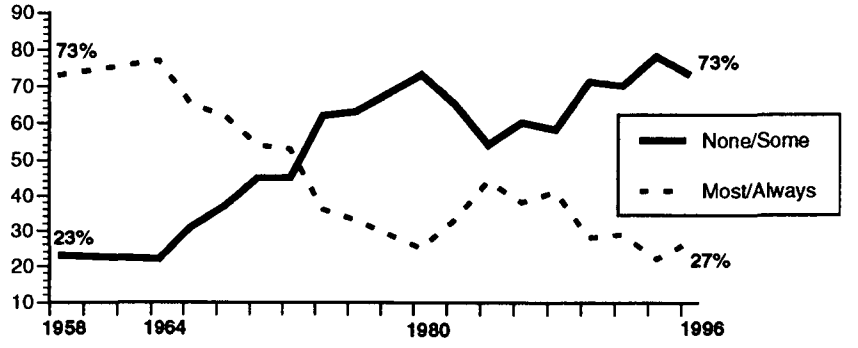
1964

Question: Which one of the statements listed on this card comes closest to your own views about governmental power today?


Federal government has too much power
Should use its powers even more vigorously
33%
30%
Is using just about the right amount of power

Source: Survey by the Gallup Organization for Potomac Associates, October 1964.

Question: How much of the time do you think you can trust the government to do what is right—just about always, most of the time, or only some of the time?



Source: University of Michigan National Election Study (NES) for 1958–94; 1996 asking from the Gallup/CNN/*USA Today*, May 1996 (1996 NES data were not available at press time).

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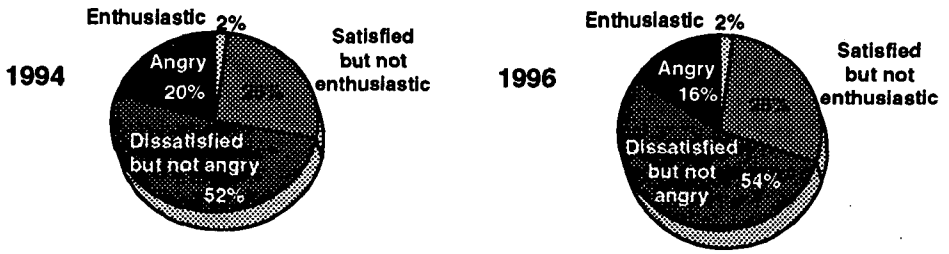
APPENDIX 2

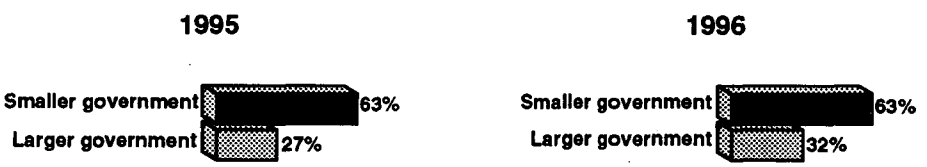
Views on Role of Government: No Change, 1994 to 1996

Question: . . . How do you feel about the way the federal government works . . . enthusiastic, satisfied but not enthusiastic, dissatisfied but not angry, or angry?



Source: Surveys by ABC News/*Washington Post*, October 1994 and March 1996

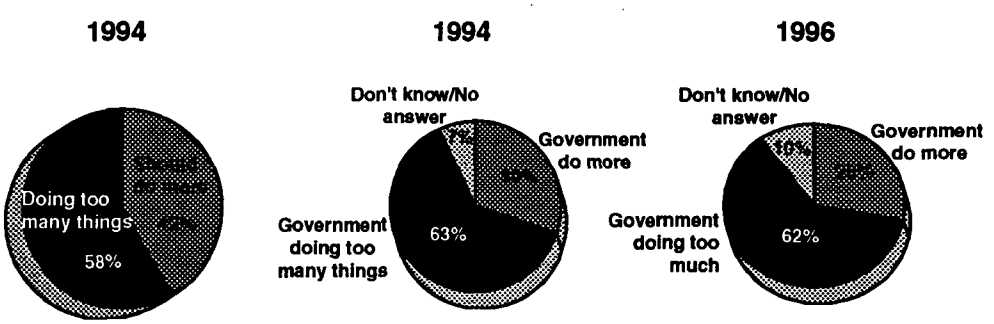
Question: Would you say you favor smaller government with fewer services, or larger government with many services?



Source: Survey by the *Los Angeles Times*, January 1995.

Source: Survey by ABC News/*Washington Post*, August 1996.

Question: Which comes closer to your view: Government should do more to solve national problems, or government is doing too many things better left to businesses and individuals?



Source: Survey by Voter News Service, November 1994.

Source: Surveys by CBS News/*New York Times*, October 1994 and September 1996.

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APPENDIX 3

Presidential Vote by Social Group, 1996 and 1992

(in percentages)

	Clinton 1996	Dole 1996	Perot 1996	Clinton percentage point change, 1992–1996	Perot percentage point change, 1992–1996
Everyone	49	41	8	6	-10
By Gender					
Everyone	43	44	10	2	-11
Male = 48					
Female = 52	54	38	7	9	-10
Whites Only					
Men = 48	38	49	11	1	-14
Women = 52	48	43	8	7	-11
By Race					
White = 83	43	46	9	4	-11
Black = 10	84	12	4	1	-3
Hispanic = 5	72	21	6	11	-8
By Race and Region					
East					
White = 86	51	37	10	7	-9
Black = 9	85	12	3	7	-6
Hispanic = 3	73	20	5	31	-8
Midwest					
White = 90	45	43	10	5	-12
Black = 7	79	16	5	-9	1
Hispanic = 1					
South					
White = 77	36	56	8	2	-10
Black = 17	87	10	3	4	-3
Hispanic = 5	66	27	6	5	-8
West					
White = 80	43	44	9	4	-15
Black = 6	77	14	7	-7	-3
Hispanic = 10	74	19	5	0	-7
By Age					
18-29 = 17	53	34	10	10	-12
30-44 = 33	48	41	9	7	-12
45-59 = 26	48	41	9	7	-10
60+ = 24	48	44	7	-1	-5
By Income					
Less than $15,000 = 11	59	28	11	1	-8
$15,000-$30,000 = 23	53	36	9	8	-11
$30,000-$50,000 = 27	48	40	10	7	-11
$50,000-$75,000 = 21	47	45	7	7	-11
$75,000-$100,000 = 9	44	48	7		
Over $100,000 = 9	38	54	6		

	Clinton 1996	Dole 1996	Perot 1996	Clinton percentage point change, 1992–1996	Perot percentage point change, 1992–1996
Union Member in Household					
Yes = 24	62	36	9	4	-12
No = 76	45	45	8	5	-11
By Education					
No High School = 6	59	28	11	5	-7
High School Graduate = 24	51	35	13	8	-8
Some College = 27	48	40	10	7	-11
College Graduate = 26	44	46	8	5	-12
Post Graduate = 17	52	40	5	2	-9
By Religion					
Protestant = 38	41	50	8	5	-10
Catholic = 29	53	37	9	9	-11
Other Christian = 16	45	41	12	6	-11
Jewish = 3	78	16	3	-1	-6
Other = 6	60	23	11	7	-10
None = 7	59	23	13	-2	-7
By Religion-Whites					
Protestant/Christian = 56	36	53	10	3	-11
Catholic = 29	48	41	10	6	-12
Jewish = 4	78	16	3	-2	-7
Other = 5	51	29	13	5	-11
None = 7	56	26	14	-3	-8
By Financial Situation					
Better = 33	66	26	6	42	-8
Worse = 20	27	57	13	-33	-12
Same = 45	46	45	8	5	-9
By Party ID					
Democrat = 39	84	10	5	7	-8
Republican = 35	13	80	6	3	-11
Independent/Other = 26	43	35	17	5	-14
By Ideology					
Liberal = 20	78	11	7	10	-11
Moderate = 47	57	33	9	10	-12
Conservative = 33	20	71	8	2	-19

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APPENDIX 4

House Vote by Social Group, 1996 and 1994 (in percentages)

	Democrat	Republican	Democratic percentage point change, 1994–1996
Everyone	49	49	3
By Gender			
Everyone			
Male = 48	45	53	4
Female = 52	54	44	2
Whites Only			
Men = 48	39	58	3
Women = 52	48	50	2
By Race			
White = 83	44	54	3
Black = 10	81	18	-9
Hispanic = 4	72	26	13
By Race and Region			
Northeast			
White = 86	51	46	6
Black = 9	81	18	-9
Hispanic = 2	81	19	
South			
White = 77	35	64	-1
Black = 17	87	10	-6
Hispanic = 5	61	38	
Midwest			
White = 90	47	52	5
Black = 7	80	18	-5
Hispanic = 1			
West			
White = 80	44	53	3
Black = 6	71	28	-10
Hispanic = 10	77	21	8
By Age			
18-29 = 17	54	44	6
30-44 = 33	48	49	3
45-59 = 27	49	49	3
60+ = 23	48	50	
By Income			
Less than $15,000 = 11	61	36	1
$15,000-$30,000 = 22	54	43	4
$30,000-$50,000 = 27	48	40	4
$50,000-$75,000 = 21	47	45	2
$75,000-$100,000 = 9	44	48	4
Over $100,000 = 9	38	54	2
Union Member in Household			
Yes = 24	62	36	4
No = 76	45	53	0
By Education			
No High School = 6	64	34	8
High School Graduate = 23	53	44	7
Some College = 27	49	49	9
College Graduate = 26	43	56	0
Post Graduate = 18	50	49	-5
By Religion			
Protestant = 38	40	59	1
Catholic = 29	53	45	7
Other Christian = 16	48	49	1
Jewish = 3	73	26	-2
Other = 6	70	27	8
None = 7	60	38	0
By Religion-Whites			
Protestant/Christian = 56	37	61	3
Catholic = 29	48	50	4
Jewish = 4	73	25	-4
Other = 4	65	33	17
None = 7	56	41	-3
By Financial Situation			
Better = 33	64	35	5
Worse = 20	32	65	-2
Same = 45	46	52	1
By Party ID			
Democrat = 40	88	14	-2
Republican = 36	10	88	2
Independent/Other = 25	47	49	6
By Ideology			
Liberal = 20	80	18	0
Moderate = 47	56	42	1
Conservative = 34	21	78	2

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APPENDIX 5

Democratic Senate Candidates Received Higher Proportions of Women's Votes than Men's in Most States

(in percentages)

	All Voters		Women		Men		Gender Gap
State	% Voting for Dem. Cand.	% Voting for Rep. Cand.	% Voting for Dem. Cand.	% Voting for Rep. Cand.	% Voting for Dem. Cand.	% Voting for Rep. Cand.	% Women voting Dem. minus % Men voting Dem.
Delaware	60	39	67	32	51	48	16
Georgia	49	48	56	40	41	55	15
Idaho	43	54	46	51	34	63	12
South Dakota	52	48	57	42	45	54	12
Michigan	56	43	63	34	52	46	11
New Hampshire	47	49	52	44	41	53	11
Kansas A	38	61	39	59	30	66	9
Louisiana	50	50	54	45	45	55	9
Maine	47	48	48	43	39	56	9
Massachusetts	52	45	56	40	47	48	9
Minnesota	52	43	55	37	46	45	9
North Carolina	46	53	50	49	41	58	9
Oklahoma	40	57	44	53	35	63	9
Alabama	45	53	49	49	41	57	8
Colorado	48	49	50	48	42	54	8
Mississippi	25	74	31	69	23	75	8
Kansas B	47	52	47	50	40	58	7
Oregon	48	49	51	45	44	53	7
Illinois	54	44	59	39	53	43	6
Iowa	52	47	55	45	49	49	6
Montana	49	45	52	40	46	50	6
Nebraska	42	56	45	53	39	59	6
Tennessee	37	62	40	59	34	65	6
West Virginia	76	24	79	20	73	26	6
Texas	44	55	46	53	40	58	6
Kentucky	45	55	45	53	40	58	5
Virginia	47	52	49	49	44	55	5
Arkansas	48	50	49	51	45	54	4
South Carolina	44	53	45	51	41	56	4
Rhode Island	64	35	65	35	63	36	2
New Jersey	53	42	53	42	53	42	0
Wyoming	42	54	42	53	42	55	0
New Mexico	30	64	29	65	30	64	-1
Alaska	23	68	14	70	17	72	-3

Source: Voter News Service Exit Poll, November 5, 1996

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Peace, Interdependence, and the Middle East

STEVE A. YETIV

In the second half of the twentieth century, analysts of Middle East and world politics have focused great attention on the causes and implications of war in the Middle East. By comparison, little attention has been devoted to examining the implications of regional peace. Using a holistic perspective, this article examines the impact of peace on foreign investment in Israel, and in turn on Israel's national welfare and interstate interaction. The obstacles to peace, including the opposition of immoderate actors such as Hamas, Iran, Iraq, and Libya, make such analysis all the more important, as does the potential for increased economic cooperation between Israel and parts of the Arab world.

In his seminal book, *National Power and the Structure of Foreign Trade*, Albert Hirschman offered a classic account of the power implications of foreign trade. Although Hirschman's book has undergone some challenges since its publication, it remains one of the most important books in modern political economy. This article draws on Hirschman's framework and on analysis of Middle East and world politics, not only to examine the likely impact of Middle East peace but also to explore questions relevant to the broader study of war and peace, political economy, and interdependence.

Hirschman identified two principal effects of foreign trade, which he termed the supply and influence effects. The supply effect refers to the valuable goods supplied by trade, which enhance the capabilities of states, and reflects the economic aspect of economic interaction.[1] By contrast, the influence effect, on which Hirschman focused most of his attention, reflects the political side of trade. It refers to how economic interaction can establish relationships of asymmetrical

[1] Albert O. Hirschman, *National Power and the Structure of Foreign Trade* (Berkeley: University of California Press, 1980), 14.

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interdependence,[2] which can yield one side political influence. Asymmetry means simply that one party needs the benefits of economic interaction more than the other. Under some conditions, the less dependent side can use asymmetry to gain influence over its more dependent partner.[3]

Hirschman focused principally on foreign trade, but his analysis has more general relevance. While foreign trade and foreign investment, for instance, involve different empirical and theoretical issues, both create material benefits for actors involved in economic interaction. Foreign investment can increase the volume of foreign capital and know-how in the host country, thus increasing its stock of capabilities (supply effect). It can also create relations of asymmetrical interdependence that can be used for purposes of influence (influence effect). Inasmuch as this is true, it is plausible to discuss foreign investment in terms of the supply and influence effects.

The argument of this article has two basic parts that deal with the supply and influence effects of foreign investment. The first part shows that with lasting peace, Israel will attract and benefit from foreign investment at a level perhaps unprecedented in its history. This is because: changes in global politics, global political economy, and in Israel's comparative advantage provide Israel with much greater opportunities to attract foreign investment than before; regional conflict suppresses investment in Israel more than believed by scholars and policy makers; and a significant failing of Israel's economy is a lack of foreign investment. Peace, thus, will enable Israel to enjoy a high supply effect.

However, as Hirschman's conceptual framework suggests, the question of whether a country gains from increased economic interaction with others has to do with more than the supply effect or material gains. It also is related to the influence effect, because a state can gain from economic interaction in material terms, but lose influence over economic and political outcomes.

This brings us to the second part of the argument. In line with Hirschman's logic, Israel's high material gains from foreign investment will make it asymmetrically dependent on foreign investors and thus subject to their influence (influence effect). Hence, while Israel gains in economic terms, it will lose political influence. Over time, however, we can expect relations of dependence to reverse themselves and foreign actors to become more dependent on Israel than vice versa. Thus, Israel need not fear a loss of autonomy to foreign actors, which may increasingly accompany the Middle East peace process.

Overall, peace will generate economic interaction between Israel and other actors, which will yield Israel significant short-term material gains and longer-run influence. Israel can then protect its welfare better and increase its sense of security. Such increased security will enable it to interact more productively with

[2] For more on Hirschman's argument, see R. Harrison Wagner, "Economic Interdependence, Bargaining Power, and Political Influence," *International Organization* 42 (Summer 1988): 462–65.

[3] Hirschman, *National Power*, 2. This notion is further developed in Robert O. Keohane and Joseph S. Nye, *Power and Interdependence* (Boston: Little, Brown, 1977).

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global and regional actors, because Israel will be less concerned with the security implications of heightened economic interaction. Thus Israel will be less likely to seek economic dominance for security purposes and more likely to cooperate with Arab states for joint economic gains.[4]

In making this argument, the article shows that the opportunity costs of regional conflict are higher for Israel in the post-cold war era than in the past. This is because economic and political changes provide Israel with significant opportunities to draw on and benefit from foreign investment, opportunities largely blocked by regional conflict. It follows that a set of long lasting peace treaties between Israel and Syria, Lebanon, Jordan, and the Palestinians based on an exchange of land for peace would yield Israel more economic and political gains in the post-cold war period than in the past. Israel's hardline Prime Minister Benjamin Netanyahu has stressed repeatedly the importance of integrating Israel's economy into the global economy,[5] and with peace the Middle East will be pregnant with such opportunities.

Unlike indirect foreign investment, foreign direct investment involves ownership of assets by foreign residents for purposes of controlling those assets.[6] Because direct and indirect investments involve different empirical and theoretical issues, I hereafter use "FDI" when referring specifically to foreign direct investment and "FI" when referring to foreign investment in general.

This article is divided into seven sections. Each one draws on empirics or theory to build the present argument. The first three sections examine how major changes in global politics, global political economy, and in Israel's comparative advantage provide Israel with more opportunities to attract FI than it has had in the past. The next three sections explore how regional conflict suppresses investment in Israel and explain why Israel has a relatively high need for FI and could handle increased FDI effectively. In the seventh section, I discuss the influence effect of FI for Israel, and then qualify the present argument and discuss its more general implications.

Changes in Global Politics

A state's ability to attract FI is at least partly a function of the nature and extent of its diplomatic contact. All other things being equal, the more extensive the contact, the greater the opportunity to attract FI. Thus, changes in global politics can affect a state's ability to attract FI by altering the nature and extent of its diplomatic interaction.

[4] On Arab concerns about Israeli dominance, see "Paris AFP" in Foreign Broadcast Information Service: Near East and South Asia (FBIS: NES), 9 January 1995, 4. Such concern was expressed in this author's off-the-record interview with a high-level Middle East official.

[5] See, for instance, Israel Foreign Ministry, Information Division, Jerusalem, 19 June 1996.

[6] For details, see Edward M. Graham and Paul R. Krugman, *Foreign Direct Investment in the United States* (Washington, DC: Institute for International Economics, 1991), 7–11.

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In Israel's case, the end of the cold war contributed significantly to its global political integration. Over forty countries have recognized Israel diplomatically since 1988. Israel signed the European Free Trade Agreement, which went into effect in January 1993, and its economic standing and trade with the European Union has been improving as well.[7] Israel has also increased substantially its political-economic interaction with former Soviet Republics, India, Turkey, Central Asian states, and Eastern European countries, which had severed diplomatic relations with Israel after the 1967 Six-Day War.

Heretofore, Israel faced high security risks for allowing others access to its high-tech know-how. The decrease in East-West rivalry has not made this security issue insignificant. But as East-West political interaction assumes more of a positive-sum dimension, it will be less risky both for Israel and former Eastern bloc countries to develop jointly high-tech products. Although it is true that many countries can benefit from the end of East-West rivalry in this regard, Israel is likely to benefit significantly, because security constraints were always relatively higher in its case and because, as will be discussed later in this article, high-tech has increasingly become its comparative advantage.

Israel's Asian relations have also improved significantly. China's Ministry of Foreign Economic Relations and Trade began to promote economic ties to Israel, whereas before it strongly opposed them for political reasons.[8] Partly in response to the peace process, a major Japanese bank awarded Israel a big multiannual credit line for the first time, in spite of the Arab economic boycott of Israel,[9] and Japan has been participating actively in multilateral peace talks established in 1992, which involve a dozen Arab states, Israel, Russia, the United States, and European actors. Toyota decided to export cars to Israel, and Japan sent teams from its Ministry of Industry and Trade to evaluate investment opportunities in Israel.[10] Perhaps taking Japan's lead, Korea also began slowly breaking with the Arab boycott and decided to permit Israel to reopen its embassy in Seoul as well.[11] Since 1991, Korea has sought Israeli business partners in such areas as biotechnology and communications.

Changes in the Global Political Economy

While changes in global politics have redounded to Israel's favor, major global economic changes have tended to as well. Three basic changes are examined

[7] "Tel Aviv DAVAR" in FBIS: NES, 9 November 1993, 38. Also, *Jerusalem Post*, 5 November 1994. The European Union–sponsored Barcelona conference in late 1995 was a milestone in the process of integrating the EU and the Mediterranean Basin.

[8] See "Tel Aviv YEDI'OT AHARONOT" in FBIS: NES, 16 December 1991, 58; also, on Sino-Israeli relations, see "Jerusalem Qol Yisra'el," 14 April 1992.

[9] *Israel Commercial Economic Newsletter* (ICEN) 4, no. 227, 17 May 1991, 10.

[10] For details, see Paul Blustein, "Toyota to Export to Israel," *Washington Post*, 12 April 1991.

[11] "Tel Aviv DAVAR," in FBIS: NES, 26 November 1991, 30.

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here, which, as discussed in the next section of this article, tend to enhance Israel's prospects for attracting FI.

First, FDI has increased at a rapid rate. From 1983 to 1988, it increased 20 percent annually in real terms, whereas world trade volumes grew at a compounded annual rate of 5 percent.[12] FDI has grown much more quickly as a percentage of gross national product (GNP) than has gross domestic investment in recent years.[13] Second, technological innovations have been a major cause of economic growth, at least since the Industrial Revolution. Great Britain's rise to power, for instance, depended on breakthroughs in steam power, iron, metallurgy, and textiles.[14] But technology has become increasingly important as an input factor of economic growth in modern times. Although disagreement exists on what explains economic growth,[15] most models and involved analyses of growth now identify changes in technology as critical.[16]

Third, high-skilled human capital has increased in relative importance as an economic input factor. An extensive literature now documents its strong relationship to economic growth.[17] Indeed, aggregate cross-country data establish the correlation between high-income countries and low fertility and high human capital levels.[18] Furthermore, while all the factors of production including labor, technology, capital, and even resources have become more mobile, the increase in the mobility of labor has been comparatively less rapid, because labor faces qualitative and quantitative restrictions that other inputs do not face.[19] In this respect as well, high-skilled labor has tended to become more valuable than other input factors.

Changes in Israel's Comparative Advantage

If opportunities to attract FI have increased by virtue of global political and economic change, then what types of states are most likely to capitalize? The

[12] Robert B. Reich, *The Work of Nations* (New York: Knopf, 1991), 138.

[13] Philip Turner, *Capital Flows in the 1980s: A Survey of Major Trends* (Bank for International Settlements, April 1991), 32, 39–50.

[14] Robert Gilpin, *The Political Economy of International Relations* (Princeton, NJ: Princeton University Press, 1987), 67–69, 98.

[15] For a review of this literature, see Robert Dorfman, "Review Article: Economic Development from the Beginning to Rostow," *Journal of Economic Literature* 29 (June 1991): 573–91.

[16] See Ralph Landau, "Technology and Capital Formation" in Dale W. Jorgenson and Ralph Landau, eds., *Technology and Capital Formation* (Cambridge: MIT Press, 1989), chap. 12.

[17] See, for instance, Gary S. Becker, Kevin M. Murphy, and Robert Tamura, "Human Capital, Fertility, and Economic Growth," *Journal of Political Economy* 98 (October 1990): S12–S37; Paul M. Romer, "Endogenous Technological Change," *Journal of Political Economy* 98 (October 1990): S71–S102.

[18] Mark R. Rosenzweig, "Population Growth and Human Capital Investments: Theory and Evidence," *Journal of Political Economy* 98 (October 1990): S38–S70; also see Dale W. Jorgenson, "The Contribution of Education to U.S. Economic Growth, 1848–73" in Edwin Dean, ed., *Education and Economic Productivity* (Cambridge, MA: Harper and Row, 1984).

[19] See Slobodan Djajic', "Skills and the Pattern of Migration: The Role of Qualitative and Quantitative Restrictions on International Labor Mobility," *International Economic Review* 30 (November 1989): 795–809.

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discussion above suggests that states that have abundant high-tech, human capital will be more able to do so than states that are weaker in this category, because such capabilities are becoming increasingly important for economic success. Thus, to maintain a competitive edge, foreign actors will place increasingly greater value on these capabilities than on other inputs, and will tend to be attracted to investment outlets that offer them.

The upshot is that Israel has become human capital abundant. It has more scientists and technicians per capita and the highest rates of math skills of any country.[20] This was not always the case. From the mid-1960s to the late 1970s, Israel's comparative advantage lay in labor-intensive manufacture; it turned into an advantage in human capital-intensive manufactures in the early 1980s. From 1970 to 1980, the annual rate of growth of high-tech exports was more than double that of exports originating in traditional industries.[21] This trend has been accelerated by Israel's commitment to move away from a labor-intensive agriculturally-based economy to an R&D-based one.[22] By 1985 high-tech firms accounted for 56 percent of Israel's industrial output,[23] and since then high-tech exports have grown 20 percent, which is double the growth rate in Israel's traditional industries.[24] Only thirty years ago, agriculture still comprised 70 percent of Israeli exports; now it accounts for only 3 percent, and as of the middle of 1996, Israel was fashioning an industrial policy aimed at developing a high-technology infrastructure for the next century.[25]

Because a strong tendency exists for industry to migrate toward cheaper pools of labor in an increasingly more interdependent world economy, it stands to reason that in addition to the skill level of labor, another good indicator of a state's attractiveness to FI is the relative low cost of its labor. Table 1 illustrates Israel's consistent pattern of relative cost advantage in the use of skilled labor of production versus other labor, compared to the United States, Japan, and Western Europe. Israel does not appear in the table because it is the baseline measure against which other states are compared. In simple terms, the numbers in the table represent how many times greater compensation rates are in other states as compared to Israel. The second row of data, for instance, indicates that in Germany, the compensation rates for an electrical engineer, a toolmaker/lathe operator, and an average production worker were 2.7, 2.6, and 2.3 times the rates in Israel in 1988.

[20] For statistics, see Bernard Avishai, "Israel's Future: Brain Power, High Tech,—and Peace," *Harvard Business Review* 69 (March–April 1991): 57.

[21] See Joseph Baruh, "Factor Proportions in Israel's Manufacturing Trade: 1965–1982," *Journal of Development Economics* 24 (November 1986): 132–34, 137.

[22] See Abdo Kadifa and Chibli Mallat, *The Third Stage of Zionism: High-Technology in Israel* (London: University of London, Centre of Near East and Middle Eastern Studies, 1988).

[23] Arie Bregman, Melvyn Fuss, and Haim Regev, "High Tech and Productivity: Evidence from Israeli Industrial Firms," *European Economic Review* 35, no. 6 (August 1991): 1201.

[24] For details, see "Industrial R&D in Israel," *The Israel Economist*, NIS 5 (February 1990): 4–7.

[25] Israel Foreign Ministry, Information Division, "The Twelve Wonder Companies," Jerusalem, 3 July 1996.

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TABLE 1

Relative Compensation Rates (US$)

Country	Electrical Engineer	Toolmaker/Lathe Operator	Production Worker
France	2.69	1.24	1.69
Germany	2.67	2.56	2.34
Japan	2.27	2.97	1.65
Italy	2.05	1.79	1.68
United Kingdom	1.79	1.85	1.36
United States	2.64	2.95	1.81

Source: For details on these figures, see Arie Bregman, Melvyn Fuss, and Haim Regev, "High Tech and Productivity: Evidence from Israeli Industrial Firms," *European Economic Review* 35 (1991): 1219.

The high level of immigration has profoundly affected Israel's human capital endowment. Because Soviet immigrants tend to be more educated than Israelis (at least on paper), informed estimates suggest that immigration will double the economic value of Israel's work force.[26] Immigration not only offers Israel highly skilled human capital but also helps ensure that Israeli wages are unlikely to grow as quickly as they have in countries such as Korea. If anything, wages should fall as the amount of labor available to employers rises. Thus, it is reasonable to believe that Israel should retain an advantage in the cost of labor even if its economy grows.

That high immigration is historically related to high economic growth in Israel[27] suggests that the current immigrant influx, while posing short-term economic, social, and political challenges, will eventually boost Israeli economic growth and improve the investment environment. Although FI in Israel was not particularly productive in the 1980s, Israel's low-cost, high-skilled labor force gives it potential to attract rising FI that is seeking out unexplored high-tech opportunities.

Furthermore, Israel's unique free trade agreement with both the United States and the European Union allows companies investing in Israel the major advantage of duty free interaction and access to these huge markets, coupled with access to numerous grants, state guarantees, and tax benefits. While Israel is no match for such research areas as America's silicon valley, it does provide the benefit of the proximity of researchers, universities, and companies, and a work force which, because of its immigrant status, is highly skilled in foreign languages.

[26] For statistics on the skill level of immigrants compared to native Israelis, see Bank of Israel, *Annual Report* (Jerusalem: Israel, 1990), 91; also see Margalit Avishai, "The Great White Hope," *New York Review of Books*, 27 January 1991, 20.

[27] For statistics supporting this point, see Alvin Rabushka and Steve H. Hanke, eds., *Toward Growth: A Blueprint for Economic Rebirth in Israel* (Jerusalem: Institute for Advanced Strategic and Political Studies, December 1988), 3.

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The Impact of Conflict on Foreign Investment in Israel

The foregoing discussion suggests that changes in global politics, global political economy, and Israel's comparative advantage offer it major opportunities to attract FI. This has important implications for Israel. Indeed, if conflict impedes FI, but Israel's chances of attracting FI are low, then the opportunity costs of conflict are lower than in the case where such chances are higher. While conflict has always prevented investment in Israel, its impact in this regard has become more costly because Israel has greater opportunities to attract FI than it had before.

Regional conflict has undermined Israel's ability to capitalize on these opportunities chiefly by creating the perception that investment in Israel would be risky, by perpetuating the Arab boycott of Israel, and by preventing Israel from realizing some level of peace dividend. The real question, however, is to what extent these variables are obstacles to increased FI.

Risky Business

Robert Pindyck bemoans the failure of neoclassical investment theory to account for the impact of irreversibility on investment decisions.[28] Because it tends to be irreversible, investment is particularly sensitive to various forms of risk such as political instability. This means that stability is a more important key to attracting investment than previously thought. Although in objective terms, Israel does not receive a high-risk rating for FDI for the period 1992 to 1996,[29] the upshot is that if investment is more sensitive to risk than believed, it is reasonable to say that the Middle East conflict suppresses investment in Israel more than believed.

In reality, foreign investors have been averse to investing in Israel because of the unstable environment. For instance, Japan, perhaps covering for its past adherence to the Arab boycott, stated that it would invest substantially in Israel only after progress was made in the peace process.[30]

At a broader level, news that Middle East peace talks would take place enhanced the value of shares on the Tel Aviv Stock Exchange 4.5 percent from 18 July to 23 July in 1991,[31] and 14 percent after the peace agreement was signed.[32] Moreover, the value of the stock of thirty-one major Israeli companies traded in American markets increased by a significant average of 15.8 percent as a result of the victory of Israel's more dovish Labor Party.[33] News of the

[28] Robert S. Pindyck, "Irreversibility, Uncertainty, and Investment," *Journal of Economic Literature* 29 (September 1991): 1110–48.

[29] William D. Copkin and Michael K. O'Leary, "1991 World Political Risk Forecast," *Planning Review* 19 (January–February 1991): 20.

[30] "Jerusalem Qol Yisra'el," 11 June 1992.

[31] Peter Enav, "Profits from Peace," *Far Eastern Economic Review*, 28 November 1991, 44–45.

[32] *Business Week*, 20 September 1993, 86.

[33] For details, see Alison Leigh Cowan, "Israeli Stocks' Post-Shamir Rally," *New York Times*, 19 July 1992.

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peace treaty between Jordan and Israel also shot the Stock Exchange up 5 percent in five days and raised prospects for substantial Jordanian-Israeli economic cooperation.[34] Umayyah Toukan, the head of Amman's stock exchange, asserted willingness in the new political atmosphere to "forge links" between the Amman and Tel Aviv stock exchanges.[35] Growing prospects for peace were clearly related to increases of the exchange from $4 billion in 1984 to nearly $44 billion in 1993. This represented significant growth comparatively. Indeed, in 1993, the top 100 stocks on the Tel Aviv Stock Exchange rose 21 percent, compared with a 13 percent increase in the Dow Jones Industrial Average.[36]

Yet, the Israeli investment environment has remained volatile and highly sensitive to terrorist attacks against Israeli civilians, changes in Israeli taxing policy, hikes in interest rates, and progress in the peace talks. After reaching an all-time high in January 1994, the Israeli stock market plunged 25 percent after the beginning of May 1994, before recovering to some extent in October. Nonetheless, while peace will not come to Israel at once and will be partial at best in the short term, evidence strongly suggests that the process itself has created a more positive psychological environment for investment.

The Arab Boycott

Despite the peace accord between Israel and the Palestinian Liberation Organization (PLO), and Israel and Jordan, Arab states are still reluctant to lift fully the Arab economic boycott of Israel. The boycott that the Arab League claimed would bring the eventual collapse of Israel[37] has been three tiered. The primary boycott has banned all direct trade with Israel; the secondary boycott bans dealings with most companies that do business in Israel; and the tertiary boycott prohibits dealings with firms that buy or sell to or invest in companies that do business in Israel.

Some observers have suggested that the boycott has actually helped Israel.[38] But despite the fact that many companies evade the boycott by using subsidiaries and that even Arab countries trade with Israel at an estimated annual volume in the hundreds of millions of dollars, the boycott has had a serious negative effect on Israel's economy.

Other than some major firms such as IBM and Motorola, foreign business has avoided the Israeli market. The boycott has deterred FDI because it is harder to hide assets in factories and in other forms of FDI than it is to hide other types

[34] "Tel Aviv YEDI'OT AHARONOT," 17 October 1994.

[35] *Business Week*, 8 August 1994, 36.

[36] Anthony Ramirez, "Israel's Volatile Market Braces for an Onslaught," *New York Times*, 20 August 1994.

[37] For a brief account of the boycott, see Dean Geldenhuys, *Isolated States: A Comparative Analysis* (Cambridge, England: Cambridge University Press, 1990), 301–307.

[38] See Eliahu Salpeter and Yuval Elizur, "The Effects of the Arab Boycott on the Israeli Economy," *The Israel Economist* 6 (May 1990): 13.

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of economic interaction. Thus, to avoid the boycott, many risk-averse companies have chosen not to interact with Israel in any form. IBM, for instance, which does not abide by the boycott, bought $100 million in Israeli computer parts and components in 1988; by comparison, not one European computer firm bought even a dollar's worth of the same products during the same time period.[39]

Israel's high-tech industries need interaction with major international companies in order to capitalize on the global revolution in information and technology. But it is precisely these companies that have been most deterred by the boycott.[40] As one prominent analyst put it, the end of the boycott would be "a long-term signal of Israel's re-entry into the world as a legitimate place to trade and invest."[41] The end of the boycott would also create some possibilities in the longer term for firms operating in Israel to penetrate the large Middle East market. Given the cold peace between Israel and Egypt, this would likely be a slow process, but changes in the political climate could eventually spill over into the economic sphere and vice versa.[42] This, in turn, could strengthen Arab-Israeli relations and give both sides a greater interest in peace and cooperation than would otherwise exist.

Israeli officials estimate that the boycott has cost Israel $400 million a year;[43] more conservative estimates also reflect a serious negative impact. Gary Hufbauer and Jeffrey Schott, for instance, estimate that Israel lost $258 million per year from 1951 to 1980, which amounts to 2.3 percent of Israeli GNP yearly in the period 1951 to 1960 and 5.9 percent of GNP over the period 1973 to 1980.[44] The peace process has already paid dividends in decreasing some of these costs. In September 1994, the Gulf Cooperation Council, which is comprised of Saudi Arabia, Kuwait, Oman, Qatar, the United Arab Emirates, and Bahrain, announced that in light of the peace process, its members would abandon the secondary and tertiary boycotts against Israel, while maintaining the primary boycott. Since that time Arab states have been openly discussing prospects for increased economic interaction with Israel, including joint economic projects. They stand to gain a great deal from this interaction. As the formal and informal barriers to economic interaction fall in the region, Israel and the Arab States can more easily enjoy the benefits of comparative advantage, economics of scale, and informational exchange. Meanwhile this economic interaction can increase trust and generate interdependent links that raise the costs of conflict.

[39] See Salpeter and Elizur, "The Effects of the Arab Boycott," 14. On Europe's adherence to the boycott, see ICEN 4, no. 231, 14 June 1991, 18.

[40] ICEN 4, no. 220, 29 March 1991, 22; ICEN 6, no. 255, 13 December 1991, 1, 27.

[41] On this potential, see Haim Ben-Shahar, Gideon Fishelson, and Seev Hirsch in Meir Merhav, ed., *Economic Cooperation and Middle East Peace* (London: Weidenfeld and Nicholson, 1989), 29.

[42] Sylvia Nasar, "Economists Assess Arab-Israel Move," *New York Times*, 25 July 1991.

[43] *Israel Business* 473 (December 1990): 5.

[44] For details, see Gary Clyde Hufbauer and Jeffrey J. Schott, *Economic Sanctions Reconsidered: History and Current Policy* (Washington, DC: Institute for International Economics, 1985), 184–85.

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The Peace Dividend

Another reason conflict deters FI in Israel is perpetuation of high Israeli military expenditure. Decreases in military expenditure would free human and high-tech resources devoted to arms production and would improve the domestic climate for foreign investment.[45] But, so as not to be misleading, several factors would limit decreases in Israeli military expenditures, despite a successful move toward peace between Israel and front-line Arab states.

First, peace does not necessarily mean the absence of conflict. Kuwait and Iraq, for instance, were at peace prior to the Iraqi invasion of Kuwait, but this did not deter the August 1990 invasion of Kuwait by Iraq. Second, even if Israel reached an accord with front-line Arab states, Iraq, Iran, and Libya would remain Israel's enemies at least in the near term. Some observers might argue that Iran might one day return to the lucrative business it had with Israel prior to the Iranian revolution, or that Iraq will see the political and economic advantage of improving relations with Israel. Although one should not rule out these developments, such moves are highly unlikely in the near term. Indeed, Jordan was so disturbed by Iran's blatant and official support of Islamic antipeace militant groups such as Hamas and Islamic Jihad that it expelled twenty-one Iranian diplomats in February 1994.[46] For its part, the government-dominated Iraqi press has regularly denigrated the peace process. A regime change in Iran or Iraq might alter this picture, but at least in the short term Iran, Iraq, and Libya are likely to remain serious national security concerns for Israel. Libya's Muammar el-Qaddafi, for his part, has repeatedly condemned the peace process, referring to it as "one of history's comedies," and as "an object of ridicule, a farce."[47] These statements were in part made for domestic and Arab-world consumption, but probably did reflect his general view of the peace process.

Third, arms production accounts for a good deal of overall industrial activity in Israel, and the military is Israel's single most important fiscal mechanism for stimulating the economy; thus, even if peace were achieved, Israel's defense budget would still be used to perform nondefense tasks.[48]

The question also arises about how much economic growth Israel could expect from a percentage decrease in military spending. Economic theory and existing studies provide no unambiguous answer.[49] However, in Israel's case, lower mili-

[45] For the view of Israeli economists, see Peter Passell, "A Peace Dividend for Israel," *New York Times*, 15 March 1992.

[46] See Nora Boustany, "Jordan Expels 21 Iranian Diplomats," *Washington Post*, 4 February 1994.

[47] For an example of this invective, see the text of his comments in *Tripoli Libyan Television Network*, FBIS: NES, 13 September 1993, 26.

[48] On why and how this is the case, see Alex Mintz and Michael D. Ward, "The Political Economy of Military Spending in Israel," *American Political Science Review* 83 (June 1989): 521–33.

[49] For a literature review, see Abdur R. Chowdhury, "A Causal Analysis of Defense Spending and Economic Growth," *Journal of Conflict Resolution* 35 (March 1991): 80–81; also, on the net trade-offs posed by military expenditure, see Martin C. McGuire, "Foreign Assistance, Investment, and Defense: A Methodological Study with an Application to Israel, 1960–1979," *Economic Development and Cultural Change* 35 (July 1987): 847–48.

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tary expenditure is correlated with higher economic growth.[50] This suggests that decreases in military spending would probably spur growth and improve the investment environment in Israel.

At the same time, however, peace would produce some offsetting effects. For instance, while Israel's direct reaction to Arab defense outlays has been positive but small, American aid to Israel has been sensitive to Arab military efforts.[51] It follows that if peace results in reduced Arab-state military spending, American aid to Israel will decrease.

In addition, Israeli defense spending as a percentage of GNP has declined in the last decade.[52] Thus, a 5 percent cut in defense spending today would produce a smaller payoff for Israel than in the past. The effect, however, would still be sizable because: Israel has a relatively high ratio of defense spending to GNP; defense spending as a ratio of GNP does not account for major hidden expenditures such as the loss of production from compulsory military service;[53] and while Israel funds R&D more than any other Western country, 60 to 70 percent of that R&D is directed to defense where it is less efficient.[54]

The Relative Absence of Foreign Investment

The analysis in this article so far has shown that political and economic changes at the global and domestic level have by and large put Israel in a good position to attract FI but that the absence of peace deters such gains.

However, it is also important to determine to what extent Israel could gain from increased FI. This is a question of much broader significance, because states worldwide must explore the costs and benefits of allowing others to penetrate their society-economy.

One variable that is important in determining to what extent a state can benefit from FI is a state's level of need for FI. The greater the need for FI, the more it can benefit from FI. This is because a state with a relative scarcity of FI will place greater value on each unit of FI, and thus benefit from it more, than a state with a relative abundance of FI, if all other factors are the same.

Several reasons explain why the absence of FI is a major weakness in Israel's economy.[55] Israel is hamstrung in its effort to raise financial resources domestically. This explains why it has undertaken a major campaign to attract American

[50] See Bank of Israel, *Annual Report 1989* (Jerusalem, May 1990), 3, 33. Also, on how defense spending suppressed growth in the broader Middle East, see James H. Lebovic and Ashfaq Ishaq, "Military Burden, Security Needs, and Economic Growth in the Middle East," *Journal of Conflict Resolution* 31 (March 1987): 106–138.

[51] McGuire, "Foreign Assistance," 867.

[52] Bank of Israel, *Annual Report 1990* (Jerusalem, May 1991).

[53] For some statistics, see *Israel Business* 467 (June 1990): 3.

[54] See Ben Mollov, "Towards Growth," *The Israel Economist* 5 (February 1989): 19.

[55] Alvin Rabushka, *Scorecard on the Israeli Economy: A Review of 1991* (Jerusalem: Institute for Advanced Strategic and Political Studies, March 1992), 7.

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and European investment. Estimates from the Bank of Israel suggest that $75–$80 billion is needed to absorb one million immigrants, which makes investment even more crucial.[56] In addition, foreign capital is needed to pay for infrastructure investments, provide finance for private companies, and fuel Israel's capital-intensive high-tech industry.[57]

Unlike many other countries, Israel also lacks strategic resources and access to regional markets. Higher investment would provide increased access to the regional and global market, thus providing Israel with much needed economies of scale, and would draw corporate resources. Foreign investors could also provide Israeli firms with sorely needed global reach and know-how for effective marketing.[58] Furthermore, FI can help increase Israel's overall economic performance by helping it develop efficient industries that can compete in world markets. This is important because, as already discussed, Israel's domestic market is not very competitive.

The Costs and Benefits of Foreign Investment

Another important variable in determining the extent to which a state can benefit from increased FDI is its ability to handle it. Indeed, attracting much FDI makes little sense if a nation cannot make FDI work to its advantage (or is undermined by it). Thus, showing that opportunities for Israel to attract FDI have increased and that its comparative advantage puts it in a good position to attract rising FDI is not enough to show that Israel can benefit from FDI.

While I do assume that the benefits of increased FDI generally exceed its costs,[59] FDI can produce significant costs for the host country.[60] In the paragraphs below, I discuss some of these costs and then argue that on the whole Israel can mitigate these costs to a significant enough extent that they do not exceed the benefits of FDI.

One major cost of FDI is that it can reduce state autonomy by giving external actors more influence over the politics of the host country than they otherwise would have.[61] Access to society can provide others with a tool for circumventing the host government[62] and exploiting its resources. This partly explains why

[56] See statement by Jacob Frenkel, governor of the Bank of Israel, in "Tel Aviv IDF Radio," in FBIS: NES, 19 March 1992, 18.

[57] See Joel Bainerman, "Israeli High Tech: Facing a Crisis," *Jerusalem Post*, 28 December 1990, A16.

[58] See Modic, "Israel Bets," 29–31.

[59] On studies that find the overall impact of FDI on the host economy to be highly positive, see Robert T. Kudrle, "Good for the Gander? Foreign Direct Investment in the United States," *International Organization* 45 (Summer 1991): 424.

[60] See Gilpin, *The Political Economy*, 247–52.

[61] On the autonomy and prosperity implications of increased FDI, see Kudrle, "Good for the Gander?" 397–424.

[62] Barbara G. Haskel, "Access to Society: A Neglected Dimension of Power," *International Organization* 34 (Winter 1980): 89–120.

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countries such as Japan and Korea view uncontrolled FDI as a threat.[63] Given the Jewish historical experience, loss of autonomy would be problematic, particularly in defense-related production where Israel has sought autarky.

In addition, while FDI often introduces new capital, technology, and know-how, some observers argue that it crowds out local industries, decreases domestic economic effectiveness,[64] and increases unemployment. Others, however, believe that it has no net effect on employment.[65] Furthermore, in some cases, instead of providing needed capital to the host country, foreign actors exploit the host country's capital for private use, thus depriving local industry of needed capital.[66] The dearth of domestic capital in Israel, however, makes this less of an issue. Even Israeli business goes abroad for capital.

Foreign penetration can also negatively affect the society and culture of the host country as some scholars claim it has done in parts of the Third World. It is difficult to determine to what extent increased FDI would affect Israel in this regard. But the immigrant status of Israel's society and the strong role of its government suggest that Israel would be less vulnerable to some types of foreign influences than other states would be.

It stands to reason that there is an equilibrium point beyond which more foreign investment begins to become counterproductive. In Israel's case, however, FDI accounts for only 10 percent of overall investment. This is relatively low.[67] By comparison, South Korea which achieved high economic performance in part by drawing FDI, drew three times as much FDI as Israel from 1982 to 1988.[68] Israel's low level of FDI suggests that it could absorb more investment without reaching the point where the costs of FDI begin to exceed its benefits.

Israel also displays a relatively high will and ability to control FI.[69] Its economic bureaucracy ensures control of FDI through step-by-step intervention on a national scale.[70] Labor and private business constitute another check on potentially exploitative foreign actors. Indeed, because of pressures from the private sector, Israel has established a whole list of barriers to entry for new firms. Although Israel's interventionist practices and politicized economic environment deter FI by casting doubt on economic growth and increasing the risk factor of investment,

[63] On Korea, see Russell Mardon, "The State and the Effective Control of Foreign Capital: The Case of South Korea," *World Politics* 43 (October 1990): 111–38, esp. 119, 116–18, 126–28.

[64] See, for example, Jean-Jacques Servan-Schreiber, *The American Challenge* (New York: Athenium, 1968).

[65] See Graham and Krugman, *Foreign Direct*, 60–67.

[66] See Mardon, "The State," 136.

[67] In 1977 Israel ranked second lowest in the proportion of wholly-owned foreign firms. Mardon, "The State," 129.

[68] For details, see Eldar, "Toward Economic Growth," 8–9.

[69] On why this is important, see, for instance, Stephen S. Cohen and John Zysman, *Manufacturing Matters: The Myth of the Post-Industrial Economy* (New York: Basic Books, 1987), esp. 234–43; also, Simon Reich, "Roads to Follow: Regulating Direct Foreign Investment," *International Organization* 43 (Autumn 1989).

[70] Eldar, "Toward Economic Growth."

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they also help ensure that FI in Israel could be controlled effectively in the event that it does increase.

The Influence Effect of Foreign Investment: Interdependence at Play

So far this article has focused on the supply effect of economic interaction. It has identified political and economic conditions that enhance Israel's prospects to attract and benefit from FI. But assessing how Israel's welfare, or that of any state, is likely to be affected by increased FI also requires discussion of the influence effect of FI because, as noted at the outset, a state can gain economically from transnational interaction but lose politically. In some cases, the costs associated with a loss of political influence can exceed the benefits associated with economic gains. While the nature of the political economic relationship will depend on the particular foreign actors in question, in this section I argue that over time foreign actors on the whole will become more dependent on Israel than vice versa.

In the initial stages of the economic interaction between Israel and foreign actors, Israel faces a relative scarcity of FI. Thus, Israel will place greater value on each newly acquired foreign investment than would be the case had Israel enjoyed a relative abundance of FI. Scarcity of investment, in other words, implies higher marginal value to Israel.

Meanwhile, foreign investors will enjoy an abundance of investment outlets. Thus, these actors will place less value on each unit of FI in Israel than they would have had they had fewer investment outlets. The result is that in the initial phase of economic interaction, Israel can be expected to be more dependent on foreign actors than vice versa.

I argue, however, that over time Israel will develop a reputation as a good place to invest. Hence, the total stock of FI in Israel will eventually increase. As it increases, the value that Israel places on any additional unit of FI will decrease. This is because as the total stock of FI increases in Israel, and as Israel's needs for FI are increasingly met, the rate at which Israel's material benefits from FI grow will decline. FI will still be valuable to Israel but increasingly less so.

The foreign actor, as well, will face diminishing marginal utility from its economic interaction. As its total stock of investment benefits in Israel increases, the loss of any determinant volume of investment will become less costly to it.

But while both actors will face diminishing marginal utility, there is good reason to believe that the rate at which Israel's benefits grow will decline more quickly than the rate at which the benefits of foreign actors grow will decline. At some point, Israel will begin placing less value on the material benefits of FI than do foreign actors and will find it easier to do without economic interaction than will foreign actors.

As another basis for this argument, we can say that if low-cost, high-skilled labor is harder to replace than are other inputs such as FI, and if Israel possesses

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relatively high levels of low-cost, high-skilled labor, then foreign actors will eventually find it more costly to sever economic ties to Israel than vice versa. The result will be that Israel can gain increased influence for purposes of protecting and advancing its national welfare, and thus will not find itself seriously jeopardizing its autonomy to others that have penetrated its society and economy.

While the present argument has been advanced largely on economic grounds, it is also supported by the widely accepted theory of the obsolescing bargain.[71] This theory deals more with the political aspects of transnational economic interaction.

The Obsolescing Bargain Theory

The predictive value of this theory is industry specific. It applies best in the case of extractive industries, where it is more difficult for a multinational corporation (MNC) to withdraw its investment.[72] The theory, however, provides some useful insights in the Israeli case. As argued above, over time foreign actors will become increasingly more dependent on Israel's low-cost human capital assets and find it increasingly more difficult to withdraw their sunk investments.

According to this theory, in the initial phase of interaction, host countries need the inputs that MNCs can bring them. Hence, they give MNCs lucrative bargains in order to attract them. Over time, however, the MNC becomes more vulnerable. This is because its investment in the host country remains profitable and increasingly more irreversible or sunk. Thus, the opportunity cost of withdrawing the investment rises, and the MNC becomes more dependent on the host.

Meanwhile, local businesses and interest groups begin to resent the success of the MNC. Domestic political pressures mount and push the host country to demand better bargaining terms with MNCs. Given that it faces substantial opportunity costs for withdrawing its investment from the host country, the MNC will become vulnerable to such pressure. Hence, it will agree to renegotiate its contract on terms more favorable to the host, and the initial lucrative bargain struck by MNCs will probably "obsolesce."[73]

The obsolescing bargain theory has been criticized as overestimating the power of the state to dictate policy to the MNC and underestimating the MNC's ability to press its own agenda. It has been argued that in some cases MNCs can withdraw their investments from host countries, use host governments to support their interests, use local allies to circumvent the power of the host government,

[71] See Barbara Jenkins, "Reexamining the 'Obsolescing Bargain': A Study of Canada's National Energy Program," *International Organization* (Winter 1986): 141–43.

[72] See Stephen J. Kobrin, "Testing the Bargaining Hypothesis in the Manufacturing Sector in Developing Countries," *International Organization* (Autumn 1987): 609–38.

[73] For a test of the obsolescing bargain hypothesis, see Kobrin, "Testing." Also, on factors that affect bargaining outcomes between the host country and the MNC, see Theodore H. Moran, "Multinational Corporations and Dependency: A Dialogue for Dependentistas and Non-dependentistas," *International Organization* 32 (Winter 1978).

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and benefit from events in the international economy. These factors can weaken the host government, preserve the bargaining leverage of MNCs,[74] and prevent the initial bargain from obsolescing.

While these factors might be strongly at play in other cases in world politics such as in Africa and Latin America, they are not so influential in Israel's case. Israel is likely to control every aspect of investment by MNCs. Indeed, MNCs have not had much success in using the Israeli government to support their interests over Israel's national interests. This may be because the state of war in the region has forced Israel to place a premium on controlling the actions of MNCs for purposes of national security. For their part, local actors in Israel are more inclined to pressure the government into opposing MNCs than into supporting them in Israel. There is no tradition of local actors aligning with foreign actors against the host government and no good reason to believe that this would occur. Furthermore, on the whole, international economic and political change is strengthening rather than weakening Israel's bargaining position in bilateral economic interaction. Hence, the conditions that in general redound in favor of the MNCs are relatively absent in Israel's case.

Yet one might ask why MNCs would sign an initial agreement governing their economic interaction with the host country if they know that their bargain will obsolesce.[75] One answer might be that the MNC will do so if it believes that the overall payoffs of economic interaction will exceed the payoff of the next best alternative. Under this logic, the MNC invests knowing that its initial bargain will obsolesce, but assumes nonetheless that it has made its best choice given the range of payoffs available from contending options.

Qualifying the Basic Argument

The present argument needs to be qualified because conflict is not the sole impediment to a state's ability to attract and benefit from FI. In Israel's case, its economic policy and conditions also deter FI.

The size of Israel's government has mushroomed, which has slowed economic growth, and thus tended to deter FI.[76] The public-sector share of gross domestic product (GDP) and employment in Israel is markedly higher than in other countries with a similar level of per capita national income; a reduction of public sector size would free resources for the business sector[77] and probably make Israel more attractive to FI. The Israeli government is not only too big, but is

[74] See Jenkins, "Reexamining," esp. 164–65.

[75] On the literature that examines this question, see Oliver Williamson, *The Economic Institutions of Capitalism: Firms, Markets, Relational Contracting* (New York: Free Press, 1985).

[76] Michael Bruno, "Economic Analysis and the Political Economy of Policy Formation," *European Economic Review* 34 (May 1990): 273–301. On the negative effect of government intervention on industrial performance, see Arie Bregman, "Government Intervention in Industry: The Case of Israel," *Journal of Development Economics* 25 (April 1987): 353–67.

[77] See Yair Aharoni, *The Israeli Economy: Dreams and Realities* (London: Routledge, 1991), 95.

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ineffectively intrusive. Relatively inefficient industries are accorded higher rates of protection,[78] which undermines the market as the enforcer of economic efficiency. Moreover, private savings in Israel are channeled to the government budget rather than to investors, and capital in general tends not to move without government sanction.[79]

Although Israel does much to draw FI, its economic bureaucracy is imposing. Constant shifts in economic laws and regulations, massive amounts of red tape, and major time delays seriously deter would-be investors or push potential investors to withdraw from their planned investments in Israel.[80]

Interest groups also pose a major impediment to Israeli economic growth.[81] Private-sector interest groups lobby successfully for barriers to foreign entry that restrict competition.[82] In addition, unlike in Japan where the influence of labor on government has been stemmed,[83] three of every four Israeli workers belong to the Histadrut, Israel's trade union confederation, which for the most part has been effective in undermining economic reform efforts.[84] Although the immigrant influx has overwhelmed labor's ability to monopolize labor markets,[85] labor remains highly influential in Israel's political economy.

Since the 1960s, the government has moved sharply away from direct control of the economy, and since the 1970s has asserted its interest in privatization, but only in 1988 were several state-owned enterprises sold.[86] A major U.S.–Israeli program for reforming Israel's economy has been in the planning stages,[87] and Israel has adopted trade liberalization as official policy, which will be effectuated in steps throughout the 1990s.[88] However, major barriers to reform remain, which will be difficult to remove despite the commitment by both the labor government under former Prime Minister Shimon Peres and the present Likud

[78] For details, see M. Bar-Nathan and J. Baruh, "Determinants of the Tariff Structure of the Israeli Industrial Sector 1965–1977," *Journal of Development Economics* 33 (July 1990): 19–30.

[79] Rabushka and Hanke, eds., *Toward Growth*, 13–14, 83.

[80] For details, see Eldar, "Toward Economic Growth."

[81] For a general discussion of how interest groups affect economic growth, see Mancur Olson, "The Political Economy of Comparative Growth Rates" in Dennis C. Muller, ed., *The Political Economy of Growth* (New Haven: Yale University Press, 1983), 7–52.

[82] See Aharoni, *The Israeli Economy*, 188–90.

[83] See T. J. Pempel, *Policy and Politics in Japan: Creative Conservatism* (Philadelphia: Temple University Press, 1982), 107.

[84] See Don Peretz, "Israel Since the Persian Gulf War," *Current History* 91 (January 1992): 18; also David Krivine, "The Future of the Histadrut," *Jerusalem Post*, 28 December 1990, 8; Evelyn Gordon, Lea Levavi, and Galit Lipkis, "Histadrut Is Standing Firm on Strike Threat," *Jerusalem Post*, 30 November 1990, A1.

[85] Rabushka, *Scorecard*, 4.

[86] See Aharoni, *The Israeli Economy*, 162, 171.

[87] "Tel Aviv YEDI'OT AHARONOT," 17 April 1992, 21.

[88] For details, see ICEN 4, no. 231, 14 June 1991, 22; also see *Israel Business* 478 (May 1991): 1–2.

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government under Benjamin Netanyahu to the continuation of the privatization drive begun by the previous Likud government.[89]

Israel's dubious economic policies, however, are linked to regional conflict. This is because conflict erodes Israel's ability to address economic reform by diverting most attention to security matters. Indeed, this is one of the reasons why the Likud government's effort toward privatization after 1977 failed.[90] Regional conflict also ensures that Israel's defense budget will remain high, which perpetuates government intervention in the economy. Decreases in the defense budget would probably benefit Israel's efforts to reduce the government role in the economy. Peace would also allow the government a freer hand in allowing market forces to operate, which tends to be undermined by its desire for autarky in defense-related production.[91]

In addition, Israel has endeavored to establish ten science-based industrial parks near university and research centers for purposes of joining foreign and domestic forces in high-tech development.[92] Proposals exist for turning these parks into Free Export Processing Zones or free-trade enclaves that would utilize Israel's comparative advantage, while avoiding internal economic problems. If developed effectively, these export-led industrial parks have the potential to attract considerable FI, as they have in Korea and Hong Kong.[93]

Implications

The end of the cold war elevated the importance of the question of how peace, political economy, and national welfare are related. While the answer to this question will vary in each case, some similar variables at the global, regional, and domestic level may be explored. In the present case, political and economic changes strongly suggest that peace will allow Israel to attract and benefit from FI significantly. Israel can largely mitigate the negative effects of FI, thus helping ensure that the costs of FI do not exceed its benefits. Thus far, regional conflict has prevented Israel from capitalizing on relatively new opportunities generated by political and economic change. In this sense, conflict has hindered Israel's ability to use its society-economy effectively in an effort to protect and advance its national welfare and to interact productively with other actors.

Despite signing peace treaties with Egypt and Jordan, and an agreement in principle on mutual recognition with the PLO, Israel still exists in a hostile Middle

[89] See Hugh Carnegy, "Israeli Chorus for Privatisation Sets Labour's Agenda," *Financial Times*, 8 July 1992, A6.

[90] Aharoni, *The Israeli Economy*, 193.

[91] Ibid., 273.

[92] "Industrial R&D in Israel," *The Israel Economist*, NIS 5 (February 1990): 4–7.

[93] For extensive details, see Meir Eldar, *Toward Economic Growth and Independence: Establishment of Free Export Processing Zones in Israel* (Jerusalem: Institute for Advanced Strategic and Political Studies, February 1992); also, on the motives for foreign investment, see Gilpin, *The Political Economy*, chap. 6.

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East where its military capability remains essential for survival. Understandably, it is accustomed to bringing about desirable international outcomes by traditional power means. For that matter, economic issues will always be of secondary importance to Israel so long as its survival as a sovereign entity is threatened. However, while Israel's military capability remains the key to its survival, the attractiveness of its own society-economy to other actors in the international political economy might very well be its most important unused resource. If Israel can get others to want initial and continuing access to its society-economy, it can benefit substantially in economic and political terms. Whether this holds for other actors in world politics is a case-by-case question.

While Israel must be circumspect in making concessions for peace, territorial compromise for Israel is less risky than in the past. On the political front, Operation Desert Storm somewhat changed Arab-state views of the Arab-Israeli conflict. Senior Saudi officials for the first time met with American Jewish leaders in Saudi Arabia, and for his part Saudi Foreign Affairs Minister Sa'ud al-Faysal reportedly expressed Saudi intentions of attaining full diplomatic relations with Israel.[94] Prior to the Kuwait crisis, the Saudis and other Arab Gulf states refused to end the forty-three-year-old economic boycott of Israel. After the crisis, first Egypt and then Saudi Arabia and Jordan proposed to end it if Israel met certain political demands. Although this move was partly a political ploy, it represented an important change in the Arab position.

Since 1991, Arab-Israeli economic ties, while sometimes hampered by serious mistrust, have been proliferating. Both Israel and its Arab neighbors want to turn the Middle East into an interregional trade and production processing hub. Several Arab-Israeli economic summits have addressed this idea,[95] which may be a key to long-term regional stability.

On the military front, the Middle East remains hostile to Israel. Syria's Saudi-financed military buildup after the 1991 Gulf War and its increased domination of Lebanon have improved its military position. In addition, the regional nuclear arms race poses a potentially serious, longer-term threat to Israel's existence. The rising strength of Islamic radical activism also presents a long-term unknown risk factor. At the same time, the end of Soviet support for anti-Israel regimes in the Middle East and the weakening of Iraqi power by Operation Desert Storm have strengthened Israel's relative military position in the region.

The upshot is that peace for Israel is arguably less risky and more rewarding than it would have been in the past, despite the rise in terror by radical groups such as Hamas. Meanwhile, peace is also likely to yield Israel short-term material gains and longer-term security, without producing prohibitive negative effects on its economy and society. At the political level, Israel can then interact more productively with global actors, enhance its economic and political links to Arab

[94] "Tel Aviv IDF Radio," in FBIS: NES, 24 January 1992, 30.

[95] For details, see Israel Foreign Ministry, Information Division, Jerusalem, 2 September 1996.

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states, and thus develop the types of interdependent relations that may increase the benefits of Arab-Israeli cooperation and the costs of regional conflict.

To be sure, the peace process is unlikely to proceed without significant problems, and it may falter sporadically or altogether. However, the probability of its success in the short and long term will depend in part on the recognition by the actors involved in it, and the people they represent, that movement toward real peace represents a significant improvement over the status quo. This study has sketched out why this might be so for Israel from a political-economic standpoint. Yet, there are even stronger reasons to believe that Arab states would also gain substantially in this respect.

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Governing, Campaigning, and Organizing the Presidency: An Electoral Connection?

KATHRYN DUNN TENPAS
MATTHEW J. DICKINSON

The news of disarray within Bill Clinton's White House staff during his first term lends credence to scholars' claims that the transition from "electioneering to governing" is a difficult rite of passage for modern presidents.[1] Those claims, however, suggest a corollary argument: incumbent presidents should find the change from governing back to campaigning equally difficult. That is, the organizational problems evident in George Bush's ill-fated 1992 campaign may in fact be symptoms of the same transitional hazards that critics say afflict the Clinton presidency.[2] In both cases, presidents discovered that an organization geared toward competing in the presidential primaries and winning a media-driven general election is not well suited for governing within a pluralistic system of separate institutions sharing power—and vice versa.[3]

To date, most research on this issue has examined a newly-elected president's efforts to turn a campaign organization into an effective governing tool.[4] This

[1] For details, see the articles by Charles O. Jones, Colin Campbell, and Bert Rockman in Campbell and Rockman, eds., *The Clinton Presidency: First Appraisals* (Chatham, NJ: Chatham House, 1996).

[2] Those difficulties are chronicled below.

[3] See Nelson Polsby, *Consequences of Party Reform* (New York: Oxford University Press, 1983), 105–114; Theodore Lowi, *The Personal President* (Ithaca, NY: Cornell University Press, 1985), 149–151; John Hart, *Presidential Branch*, 2nd ed. (Chatham, NJ: Chatham House, 1995), 128–129; and Richard Rose, "Learning to Govern or Learning to Campaign?" in Alexander Heard and Michael Nelson, eds., *Presidential Selection* (Durham, NC: Duke University Press, 1987), 53–74.

[4] See Polsby, *Party Reform*; Lowi, *Personal President*; and James Pfiffner, *The Strategic Presidency* (Chicago: Dorsey Press, 1988).

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article, however, addresses the other side of the coin: the transition from governing back to campaigning. We argue that this transition has become more difficult in the last two decades because of the change from a *party*-dominated to a *candidate*-centered presidential selection process. The electoral reforms of the late 1960s and early 1970s have encouraged incumbent presidents to build their own personal White House staff-centered reelection campaign organizations rather than rely on the traditional party structure for tactical and logistical support.[5] The result is that today, as Charlie Black, a Bush campaign operative, notes: "When you're an incumbent running for reelection, over half of the execution is at the White House, it's not in the campaign. The candidate's body, the schedule, the press, all of that, the message, the speechwriting, all of that is in the White House."[6]

But White House dominance of reelection campaigns creates an organizational dilemma—one that pre-reform presidents did not confront. Because campaigning requires different skills and resources than governing, the postreform incumbents seeking a second presidential term must restructure their presidential staff. In contrast, their prereform presidential predecessors largely avoided this disruption, since they could rely on the party organization to perform many of the campaign's myriad tasks.

Using primary and secondary documents, supplemented by interviews with former presidential advisers and campaign officials, our argument proceeds in four stages. The first looks more closely at the organizational difficulties President Bush confronted during the 1992 election season. Part two provides an historical overview of reelection campaigns from Truman through Reagan, demonstrating the differences between the pre- and postreform reelection campaigns. Part three uses these observations to build a conceptual framework explaining why presidents find the transition from governing to campaigning more difficult since the electoral reforms of the 1960s and 1970s. In the concluding section, we discuss the organizational implications of these findings for incumbents seeking reelection.

The Bush Presidential Staff, 1992

Interviews and secondary sources help paint a thorough portrait of the organizational disruption inflicted on the Bush White House by the 1992 campaign. The key message seems to be that Bush failed to transform a White House organized

[5] By "traditional party structure," we mean state and local party chapters working in conjunction with the Democratic and Republican national party committees. By presidential "staff" we refer to those individuals formally linked to the president through hierarchical reporting relationships and whose primary incentives (pay, title, tenure, and jurisdiction) are subject to direct presidential influence. Three staff elements in particular will concern us here: the White House Office; members of the presidential cabinet composed of the heads of the major executive branch departments; and the senior members of the president's campaign organization.

[6] Charles T. Royer, ed., *Campaign for President: The Managers Look at '92* (Hollis, NH: Hollis Publishing Company, 1994), 286.

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to govern into one that could run a reelection campaign. "We didn't shut the White House down to run the campaign like we should have," Marlin Fitzwater, the president's press secretary, concluded.[7] Clayton Yeutter, brought on board by Bush to revamp the White House policy team, agreed: "You just can't change the policy environment and the general public's perception of your policies and the adequacies or inadequacies thereof in that short period of time. So it was too little too late."[8]

Because the Bush White House failed to reorganize quickly enough for the coming campaign, the Bush/Quayle campaign staff found itself rudderless. Mary Matalin, one of the campaign's political directors, recalls: "There was no political connection inside the White House. It was not integrated. . . . There was this wall, and we didn't even know what kind of information was getting to George Bush."[9] Charlie Black concurs: "Our problems were political, in the sense of decisions and communications capability, not grassroots . . . neither George Bush, nor John Sununu nor Dick Darman nor anybody else who was there in a position of authority is a political communicator. . . ."[10]

Bush's reluctance to begin gearing up for the election, however, partly hinged on his realization that to commit to campaigning meant an inevitable loss in his governing effectiveness: "[Bush] did not want to accelerate a process where everything he said would be viewed politically. He knew the minute he crossed that line, he could not govern."[11] This is because, as campaign veteran Stuart Spencer observes, "the campaign overwhelms the White House."[12] Marlin Fitzwater, Bush's communications director, concurs: "Nobody cares about anything except reelection . . . [once the campaign begins] initiative dries up."[13]

Consequently it was not until December 1991, three months after Bush filed election papers and only two months before the Iowa caucus, that the initial restructuring of the Bush staff organization began. Chief of Staff John Sununu was replaced by Samuel Skinner, formerly secretary of Transportation. Skinner's first move was to overhaul the White House staff. He asked business consultant Eugene Croisant to conduct a thorough review of White House operations. Although Skinner's appointment was couched in terms of improving domestic policy making, journalists covering the story thought the changes were motivated by Bush's upcoming campaign: "Since replacing John Sununu as chief of staff last month, Skinner has not yet altered any major administration policies. But he is

[7] Interview with Marlin Fitzwater, 19 May 1994. Fitzwater served as press secretary to Presidents Bush and Reagan.

[8] Interview with Clayton Yeutter, 25 May 1994.

[9] Royer, *Campaign for President*, 114.

[10] Ibid., 115–116.

[11] Ibid., 106.

[12] Interview with Stuart Spencer, 13 April 1992. Spencer served as a campaign adviser to Presidents Ford and Reagan.

[13] Interview with Marlin Fitzwater, 19 May 1994.

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clearly moving toward important changes in personnel and organization designed specifically to rejuvenate George Bush's sagging re-election prospects."[14]

Skinner imported his own aides from the Department of Transportation to the White House and shifted Marlin Fitzwater from press secretary to communications director, responsible for overseeing all communications efforts.[15] He also combined the White House Economic Policy Council and the Domestic Policy Council into a Policy Coordinating Group.[16] Yeutter, then chairing the Republican National Committee (RNC), was recruited to head the new staff entity.[17] By creating a more visible domestic counterpart to the National Security Council, the Bush team hoped to dramatize the shift in Bush's priorities from foreign to domestic issues.

But Skinner's changes did not have the desired effect. This was partly because they were resisted by holdover White House aides. Rich Bond, who headed the RNC, recalls: "[Skinner] assembled a number of people he proposed to put in those [White House] jobs and was told he couldn't do it. From that point on, Skinner never owned his own staff at the White House and no wonder it did not work."[18]

The result was further deterioration in relations between the campaign and White House staffs. According to David Carney, formerly director of the White House Office of Political Affairs and then field director for the Bush/Quayle campaign, "It became even worse than it was with Sununu. It was difficult to get decisions made."[19] Black concurs: "We had execution problems with the White House. There were very few people there that had campaign experience, with the exception of Ron Kaufman and Sherry Rollins. . . . So you weren't on the same sheet of music, so it was a problem that related to speeches and a lot of other communication matters."[20]

By July 1992, amid mounting criticism of Skinner's performance, in the wake of a successful Democratic convention, and with Bush facing a 20-30 point deficit in trial heat polls, the president restructured his staff once again. Word surfaced that he would solicit the electoral assistance of his friend and five-time presidential

[14] Kenneth T. Walsh, "Return of Baker and the Handlers," *U.S. News & World Report*, 13 January 1992, 31; see also Ann Devroy, "Skinner Reorganizes Personnel," *Washington Post*, 28 February 1992.

[15] John E. Yang, "Fitzwater Appointed PR Coordinator," *Washington Post*, 27 January 1992. Roughly six months later, Skinner brought in a new communications director, Steven Provost. See Ann Devroy, "Bush Communications Chief Named," *Washington Post*, 9 July 1992.

[16] See James Gerstenzang, "Early Praise for Skinner Tempered by Complaints," *Los Angeles Times*, 12 April 1992.

[17] Ann Devroy, "Yeutter Offered Top Bush Policy Post As White House Retools for Campaign," *Washington Post*, 25 January 1992.

[18] Royer, *Campaign for President*, 154.

[19] Ibid.

[20] Ibid., 154–155.

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campaign strategist, Secretary of State James Baker.[21] On 13 August, Bush formally announced Baker's switch from the State Department to the White House to become chief of staff and senior counselor to the president. With Baker came four top aides from the State Department to serve as White House deputy chief of staff and directors of communications, policy planning, and political affairs.[22]

Baker's transfer, coming in the midst of a heated international conflict in Bosnia-Herzegovina, dramatized the inherent tension between governing and campaigning. While Bush's legal counsel, C. Boyden Gray, warned Bush of the ethical dilemma posed by Baker running the campaign while officially on the White House staff, Baker's presence dramatically reenergized the Bush reelection effort.[23] "The whole problem we had in the spring was the lack of decision-making structure. [Baker] centralized it. . . . [T]he only reason that it even held close . . . was because of his ability."[24] Black agrees: "Our ability to execute, after Baker came on board, went from about a D-minus capability to an A-plus."[25] But if Baker's changes proved positive for the Bush campaign, they were also too little too late. Although Clinton's lead in public opinion polls began to dissipate, he withstood a late Bush surge to win a plurality of the popular vote and the majority of the electoral vote on election day.

Staff Shuffling from Truman through Reagan

The Bush example is not unusual in the postreform era, but stands in stark contrast to the prereform presidential reelection campaigns. The historical material is summarized below, beginning with the three post-FDR, prereform presidents: Harry Truman, Dwight Eisenhower, and Lyndon Johnson.[26]

Truman's stunning 1948 victory, of course, became the rallying cry of the Bush campaign thirty-six years later. But there was at least one major difference between the two campaigns: while Bush's was orchestrated by the White House working in conjunction with his own campaign organization, Truman's operated largely through the existing party structure. To be sure, key White House aides accompanying Truman on his famous whistle-stop tour in the fall of 1948 were

[21] Ann Devroy, "Baker Said Likely To Resign Post," *Washington Post*, 22 July 1992. See also Michael Wines, "Baker to Assume White House Post to Run Campaign," *New York Times*, 22 July 1992.

[22] Paul F. Horvitz, "Bush Appoints Baker As His Chief of Staff, New Agenda Pledged," *International Herald Tribune*, 14 August 1992.

[23] On Gray's warning, see R. W. Apple, "Baker's Racing to Rescue: Harder Now Than in '88," *International Herald Tribune*, 15–16 August 1992.

[24] David Carney in Royer, *Campaign for President*, 286.

[25] Ibid., 287.

[26] Due to space constraints, we have opted not to discuss FDR's three reelection campaigns, although there is much evidence to believe they were largely run through the party apparatus. For details, see James Farley, *Jim Farley's Story: The Roosevelt Years* (New York: Whittlesey House/McGraw-Hill, 1948); and Ed J. Flynn, *You're the Boss* (New York: Viking Press, 1947).

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largely responsible for campaign strategy.[27] But background research, financing, publicity, and logistical expertise were all provided by operatives working for the Democratic National Committee (DNC).[28]

Similarly, Eisenhower's 1956 reelection bid was largely orchestrated by the RNC under the direction of Chairman Len Hall.[29] Not only did the RNC run the 1956 reelection campaign, but in the precampaign stages it pressured President Eisenhower to seek a second term: "Whatever doubts may have been in the President's mind, or whatever family pressures may have been brought on him to serve but one term, the official party organization never wavered in its outspoken demand that he should run."[30]

In addition to demanding that the president seek reelection, the RNC in 1955 approved plans for a late convention and a short campaign. Evidence regarding the strength of party influence can also be seen in the reaction to Eisenhower's half-hearted attempt to dump Vice President Richard Nixon from the presidential ticket; the outcry from the Republican party regulars forced Ike's retreat.[31]

Lyndon Johnson's 1964 campaign unfolded during the transition period from party to candidate-centered elections—a transition hastened by Johnson himself. Nevertheless, the DNC, working through state and local affiliates, played an important role in his reelection campaign.[32] The party committee essentially coordinated the state field organizations and handled finances, while senior Johnson White House aides masterminded overall strategy, speechwriting, media contacts, and "negative" advance (that is, responding to Goldwater's speeches).

[27] Clark Clifford Oral History cited in Bradley Patterson, *The Ring of Power* (New York: Basic Books, 1988), 233.

[28] See David McCullough, *Truman* (New York: Simon and Schuster, 1992), 656-683; John M. Redding, *Inside the Democratic Party* (Indianapolis: Bobbs-Merrill, 1958); Cornelius Cotter and Bernard C. Hennessy, *Politics Without Power* (New York: Atherton Press, 1964), 126; Ken Hechler, *Working With Truman: A Personal Memoir of the White House Years* (New York: Putnam's, 1982); and Donald Dawson in Francis Heller, ed., *The Truman White House* (Lawrence: Regents Press of Kansas, 1980), 50.

[29] Cotter and Hennessy, *Politics Without Power*, 126. Previously, Len Hall was a member of Congress who served a stint at the RNC as chair of the National Republican Congressional Committee. In 1953, Hall became chair of the RNC on the heels of a scandal involving the previous chair. See Charles A. H. Thompson and Frances M. Shattuck, *The 1956 Presidential Campaign* (Washington, DC: The Brookings Institution, 1960), 7; Hugh Alvin Bone, *Party Committees and National Politics* (Seattle: University of Washington Press, 1958), 61.

[30] Thompson and Shattuck, *1956 Presidential Campaign*, 13-14.

[31] See Sherman Adams, *Firsthand Report* (New York: Harper, 1961), 233-34; Stephen E. Ambrose, *Eisenhower: The President* (New York: Simon and Schuster, 1983), 324; and Herbert S. Parmet, *Eisenhower and the American Crusades* (New York: Macmillan, 1972). Eisenhower's ambivalence about a second term, prompted in part by his health scares in 1955 and 1956, also contributed to staff stability. Dramatic changes to Ike's advisory organization in the midst of his illness might have created the perception of disarray in the White House and thus adversely affected his electoral prospects.

[32] See Theodore White, *The Making of the President 1964* (New York: Atheneum, 1965), 258-262, 350-351; Harold Faber, *The Road to the White House: The Story of the 1964 Election* (New York: McGraw-Hill, 1965), 152; and Karl Lamb and Paul Smith, *Campaign Decision-making: The Presidential Election of 1964* (Belmont, CA: Wadsworth Publishing Company, 1968).

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As with Truman and Eisenhower, Johnson's campaign produced little electorally-induced staff turnover, although this is partly attributable to the circumstances under which LBJ became president. Feeling politically compelled to accentuate his ties to his slain predecessor, Johnson maintained a dual White House staff of Kennedy holdovers and his own loyalists until after winning election in his own right.[33]

After his landslide victory, Johnson moved both to weaken the national Democratic party organization and to bring it more tightly under his control.[34] Johnson's efforts were followed by the series of campaign reforms cited above that set the stage for Richard Nixon's precedent-setting 1972 campaign. Nixon was the first presidential incumbent to run in the postreform era, and the first to create a personal campaign organization separate from the party structure. His decision to entrust his campaign almost entirely to his own hand-picked organization significantly accelerated what to then had been a comparatively slow erosion of the traditional parties' electoral influence.[35] Under former Attorney General John Mitchell (later replaced by White House counsel Clark MacGregor), Nixon's campaign committee, infamously known by its acronym CREEP (Committee to Re-Elect the President), took responsibility for almost all campaign-related activities, including fundraising under Maurice Stans.[36]

According to Jeb Magruder, a member of the White House Office of Communications who later joined Nixon's campaign staff, CREEP was established to bypass the existing party apparatus: ". . . the problem is that the RNC is a body placed on top of fifty state chairmen, who are independent and autonomous. And I think every presidential candidate feels that he has to control his state organizations."[37] Magruder was the first of many Nixon White House aides to join CREEP; by April 1972, seventeen of twenty-three senior CREEP members came from the White House staff or administration.[38] Thereafter, a clear division of labor existed:

> We agreed that [CREEP] would not get involved to any degree in substantive matters . . . similarly, the White House stayed out of the political organizational process. We spent our time worrying about how to put on a direct-mail campaign, how to put together an advertising agency, how to set up effective relations with the RNC. The White House worked on substantive issues that would affect policy. We kept

[33] Emmette S. Redford and Richard T. McCulley, *White House Operations*, (Austin: University of Texas Press, 1986), 31.

[34] A. James Reichley, *The Life of the Parties* (New York: Free Press, 1992), 337; see also Sidney Milkis, *The President and the Parties* (New York: Oxford, 1993), 179–183.

[35] Milkis, *President and Parties*, 364.

[36] For details see Larry Sabato, *Rise of Political Consultants* (New York: Basic Books, 1981), 285–286; and *Congressional Quarterly Weekly Reports*, 8 July 1972, 1667.

[37] Ernest R. May and Janet Fraser, eds., *Campaign '72* (Cambridge, MA: Harvard University Press, 1973), 214–215; see also Jeb Magruder, *An American Life* (New York: Atheneum, 1974), 155.

[38] U.S. House of Representatives Committee on the Judiciary, *White House Staff and President Nixon's Campaign Organizations* (June 1974), 5; see also *Congressional Quarterly*, "Nixon Campaign: Mounting a Drive for Another Term," 27 November 1971, 2452–55.

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that definition right through the end of the campaign, and I think it worked very well.[39]

Campaign strategy, however, remained the province of the president and his senior White House aides, particularly after Mitchell resigned as campaign manager in June 1972.[40] A political group consisting of Robert Haldeman, John Ehrlichman, Mitchell, MacGregor, Special Counsel Harry Dent, and Bryce Harlow met weekly to formulate campaign policy.[41] In retrospect, however, Nixon probably wished the division of labor between CREEP and the White House had been more ironclad. Some campaign operatives – most notably Chuck Colson – remained in the White House but carried on campaign-related dirty tricks. These activities, culminating in the botched Watergate break-in, ultimately led to Nixon's downfall.[42]

The organizational effectiveness of the Nixon campaign stands in marked contrast to the disarray characterizing the next two incumbents' bids for reelection. In 1976, of course, President Gerald Ford had to fend off a serious intraparty challenge from Ronald Reagan. Ford began gearing up for the campaign by making significant personnel changes, beginning with the so-called Halloween Massacre in which Nelson Rockefeller was forced from the vice presidential ticket in favor of Robert Dole. Rockefeller's departure was meant to ". . . discourage Reagan's entry into the race and appease [Ford's] right-wing supporters."[43] It was followed in November 1975 by the purge of Defense Secretary James R. Schlesinger, CIA Director William E. Colby, and Assistant to the President for National Security Affairs Henry Kissinger.[44] The cabinet shakeup reverberated to Ford's White House staff. Donald Rumsfeld (Ford's White House chief of staff) replaced Schlesinger as Defense Secretary, while Rumsfeld's assistant Richard Cheney inherited the White House chief of staff position.

These personnel changes had two electorally-related objectives. First, Ford sought (unsuccessfully as it turned out) to end the intrapersonnel squabbling that had characterized his first two years as president, particularly the disputes between Nixon staff holdovers, Kissinger, Robert Hartmann and Rockefeller, and Rumsfeld.[45] Second, they were intended to demonstrate Ford's leadership qualities,

[39] Jeb Magruder in May and Fraser, *Campaign '72*, 88.

[40] ITT had contributed $400,000 to Nixon's campaign and was accused of receiving special treatment from Mitchell while he headed the Justice Department. See Magruder, *American Life*, 197; and Theodore White, *The Making of the President 1972* (New York: Atheneum Publishers, 1973), 441.

[41] House Committee on the Judiciary Report, 6.

[42] Colson served as Nixon's attack dog, responsible for much of the negative campaigning on behalf of Nixon. Other purveyors of dirty tricks, although not officially part of the White House staff, nevertheless reported directly to Haldeman and to Dwight Chapin, the president's appointment secretary.

[43] Robert Hartmann, *Palace Politics* (New York: McGraw-Hill, 1980), 370.

[44] Kissinger held two positions at the time: national security adviser and Secretary of State. He remained in the latter post.

[45] See Ron Nessen, *It Sure Looks Different From the Inside* (Chicago: Playboy Press, 1978), 327; John J. Casserly, *The Ford White House* (Boulder: Colorado Associated University Press, 1977); David Howell, Margaret-Mary Howell, and Robert Kronman, *Gentlemanly Attitudes: Jerry Ford and the Campaign of '76* (Washington: HKJV Publications, 1980), 255–288.

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particularly in foreign affairs where some felt he was overshadowed by Kissinger.[46] But Reagan's primary challenge exposed serious flaws in Ford's campaign organization. An internal memo during the campaign cites the "serious White House, Administration and [President Ford Committee] organization and personnel problems" including the "poor execution by campaign and government officials. . . ."[47] These were not really addressed until after the Republican convention, when James Baker (assisted by Stuart Spencer) became Ford's campaign director.[48] At the same time Cheney, who had established himself atop the White House staff hierarchy, began to work more closely with the campaign organization.[49]

The RNC's role during the Ford campaign, meanwhile, was even smaller than it had been under Nixon; it essentially performed four tasks: convention preparation, voter registration, doling out the $3.2 million allotted the party under the 1974 campaign finance law to individual campaigns, and digging up facts to be used against Jimmy Carter, Ford's opponent in the general election.[50]

Like Ford, Carter in 1980 also survived an intra-party battle (against Senator Edward Kennedy) and kicked off his campaign with a dramatic cabinet and staff overhaul. These personnel changes were electorally motivated, as Carter openly acknowledged to Health, Education, and Welfare Secretary Joseph Califano (himself a victim of the cabinet purge): "I intend to run for office and I intend to be reelected. To get ready for this effort over the next eighteen months, personnel changes will be made in the Cabinet and the White House staff."[51]

The Carter staff shakeup was preceded by his dramatic retreat to Camp David in the summer of 1979 for a series of meetings with officials and private citizens. The stated intent was to help Carter reassess his presidency. After descending the mountain, however, Carter ordered thirty-four cabinet members and senior White House staff members to submit letters of resignation of which five (all

[46] Gerald R. Ford, *A Time to Heal* (New York: Harper and Row, 1979), 320; Hartmann, *Palace Politics*, 378; Walter Issaacson, *Kissinger: A Biography* (New York: Simon and Schuster, 1992), 669–694.

[47] Martin Schram, *Running for President, 1976* (New York: Stein and Day, 1977), 259.

[48] Howard Callaway and then C. Rogers Morton preceded Baker as campaign chair. For details, see Nessen, *It Sure Looks Different*, 212, 245–253; Malcolm MacDougall, *We Almost Made It* (New York: Crown, 1977), 5; Howell et al., *Gentlemanly Attitudes*, 154–55, 263–264.

[49] Nessen, *It Sure Looks Different*, 249; John Osborne, *White House Watch: The Ford Years* (Washington, DC: New Republic Book Co., 1977), 401.

[50] See Jonathan Moore and Janet Fraser, eds., *Campaign for President: The Managers Look at '76* (Cambridge, MA: Ballinger Publishing Co., 1977).

[51] Joseph Califano, *Governing America* (New York: Simon and Schuster, 1981), 430; see also *National Journal*, "At the White House, You Can't Tell the Players without a Scorecard," 6 October 1979, 1641. Although Carter's pollster, Pat Caddell, argues that the staff shuffle "had little to do with specific electoral politics." See Jonathan Moore, ed., *The Campaign for President: 1980 In Retrospect* (Cambridge, MA: Ballinger Publishing Company, 1981), 21. But compare to Jack Walsh in Richard Harwood, ed., *In Pursuit of the Presidency 1980* (New York: Berkeley Books, 1980), 249; and Elizabeth Drew, *Portrait of an Election* (New York: Simon and Schuster, 1981), 300.

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from cabinet members) were accepted.[52] The resignations were targeted toward key electoral constituencies; for instance, Secretary of Energy James R. Schlesinger's dismissal specifically addressed Carter's major domestic policy problem—the energy crisis.[53] The staff shake-up was also intended to bolster Carter's public image as chief executive and to reduce the in-fighting among his advisers.[54]

As he purged his cabinet, Carter also revamped his much-maligned White House organization. Hamilton Jordan, the architect of Carter's 1976 victory, became White House chief of staff. From there he essentially served as Carter's unofficial campaign chief, assisted by press secretary Jody Powell, political affairs director Tim Kraft, media expert Gerald Rafshoon, and pollster Pat Caddell.[55] Robert Strauss, the ostensible head of the Carter campaign organization at the time, noted that, ". . . this has never been my operation . . . the word 'chairman' is a misnomer. 'Chief spokesman' is really the role I have. . . ."[56] Unfortunately, Jordan found it difficult to juggle campaigning with other pressing issues, particularly the return of Americans held hostage in Iran.[57] As one senior Carter adviser noted: "It was hard—damn hard—to get anything done on the campaign then. We couldn't get to Hamilton for final decisions."[58] Subsequently, after the primaries Jordan transferred from the White House to Carter's reelection campaign. The DNC under Chair John White, meanwhile, remained largely in the background, doing fundraising, organizational work, and assisting the campaign as requested.[59]

In retrospect, Carter's campaign difficulties stemmed from reasons familiar to Ford and Bush: an inability to delineate the bounds of expertise between the White House and the campaign organization. As one of Carter's national political directors, Jack Walsh, complained: "[W]hen you're working on an incumbent campaign . . . there's one question: is the government going to run the campaign, that is people in the administration, or will the campaign maintain its status? I came to the realization that the campaign wasn't going to be as important as the West Wing."[60]

[52] The five were Treasury Secretary W. Michael Blumenthal; Energy Secretary James R. Schlesinger; Health, Education and Welfare Secretary Joseph A. Califano, Jr.; Transportation Secretary Brock Adams; and Attorney General Griffin B. Bell. In addition, Patricia Roberts Harris switched from Housing and Urban Development to Secretary of Health, Education and Welfare. See *National Journal*, "Carter Turns on the Drama—But Can He Lead?" 28 July 1979, 1237.

[53] Schlesinger was perceived to be a "political liability because of long gas lines and an approaching reelection campaign." See ibid., 1241. More generally, "[i]n rearranging his Cabinet, the President managed to satisfy the corporate community, Jews, Catholics, blacks, women, Italians and the big cities." (*National Journal*, 10 November 1979, 1897).

[54] See *National Journal*, "Carter Turns on the Drama," 1237.

[55] Ibid., 1238; Martin Schram, "Carter" in Harwood, ed., *In Pursuit of the Presidency 1980*, 91.

[56] Schram, "Carter," 86.

[57] For details see Hamilton Jordan, *Crisis* (New York: Putnam, 1982).

[58] Quoted in Schram, "Carter," 91; see also Drew, *Portrait of an Election*.

[59] Moore, *The Campaign for President: 1980 In Retrospect*, 180–82.

[60] Ibid., 60.

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Ronald Reagan's 1984 campaign has been characterized as "the richest, strongest, most confident since Nixon's in 1972."[61] The comparison, we believe, is not coincidental; instead, it reflects the Reagan team's ability to create an effective division of labor between the White House and the campaign organization. Reagan's senior White House staff took charge of campaign strategy, but the implementation of that strategy was left entirely to the Reagan/Bush campaign organization: "[N]o one in the White House could participate in the campaign with the exception of Jim Baker, Mike Deaver, Dick Darman, and Margaret Tutwiler. . . . Everybody else in the White House was told they could not participate in any way, shape, or form in the campaign. That meant they couldn't go over as a volunteer, that meant they couldn't be involved."[62]

Initially the entire White House Office of Political Affairs under Rollins was moved to the Reagan/Bush campaign staff.[63] Thereafter, the White House coordinated campaign strategy through weekly meetings between White House aides Baker, Mike Deaver, and Richard Darman, and the campaign staff under Rollins and Lee Atwater.[64] But Baker was careful to insure that second-level White House aides were not involved in the campaign.[65] The RNC, meanwhile, worked primarily in the background, performing fundraising, convention planning, and party development activities.[66]

In retrospect, it appears that the prereform candidates—Truman, Eisenhower, and LBJ—benefited by having an existing party infrastructure handle the logistics of the reelection campaign. They saw no need to drastically restructure their personal staffs as the campaign drew near. The postreform presidents, however, did not have this luxury. With the parties' demise, each opted to create their own staff of campaign experts.

Presidential Power, Presidential Staff, and the Provision of Bargaining Expertise

What lessons can be learned by future presidents seeking reelection? We need first to differentiate more clearly the role of presidential staff in both a governing

[61] Peter Goldman and Tony Fuller, *The Quest for the Presidency 1984* (New York: Bantam, 1985), 39.

[62] Ed Rollins in Jonathan Moore, ed., *Campaign for President: The Managers Look at 1984* (Dover, MA: Auburn House Publishing Company, 1986), 104; see also Jack Germond and Jules Witcover, *Wake Us When It's Over* (New York: Macmillan, 1985), 331; and Patterson, *Ring of Power*, 238.

[63] Moore, *Campaign for President: The Managers Look at 1984*, 100. Note also that this exodus is reflected in successive editions of the *United States Government Manual*; the Office of Political Affairs is listed in the 1982–1983 volume, but deleted in the following edition. Thereafter it is listed again.

[64] Moore, *Campaign for President: The Managers Look at 1984*, 106; Goldman and Fuller, *Quest for Presidency*, 262.

[65] Germond and Witcover, *Wake Us When*, 331. Indeed, to forestall appearances that government resources were being used for political purposes, Baker ordered that official White House cars not discharge passengers at Reagan campaign headquarters. (See Patterson, *Ring of Power*, 238.)

[66] Moore, *Campaign for President: The Managers Look at 1984*, 37–38.

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and an electoral context. Recall Richard Neustadt's famous dictum that presidential power—a president's effective influence on governmental outcomes—is tantamount to bargaining effectiveness.[67] Efforts to test Neustadt's thesis have to date largely focused on presidential effectiveness in Congress, specifically regarding the passage of a president's legislative program.[68] But in fact, suitably modified, this framework is applicable outside the legislative domain. Indeed, it can easily be extended to the electoral arena.

Consider the presidential campaign to be a form of electoral bargaining between candidates, delegates, and voters. An incumbent president seeking a desired outcome (the party's nomination and victory in the general election) must negotiate with a specific set of actors—those who control party delegates and those who vote in the November election. That is, "[a] campaign . . . implicitly offers the voters a contract: 'If elected I promise to. . . .'"[69] To secure electoral support then, presidents bargain with delegates, interest groups, the general public, and others who can provide campaign resources. Typically, these bargains center on policy and personnel issues as reflected in party platforms and campaign promises, and political appointments such as the choice of a running mate and cabinet members. In return, presidents secure money, labor, delegates, and, ultimately, votes—the political *capital* by which (re)election is secured.

In contrast, campaign staff do not provide tangible reelection goods. Instead, they offer bargaining *expertise*—specialized knowledge that can help the president predict the likely impact of his bargaining choices on his campaign objectives.[70] Analytically, staff-derived expertise can be distinguished from bargaining capital: the former helps presidents absorb the costs involved with negotiating bargaining details; the latter is a measure of a president's political strength.[71]

Prior to the campaign finance and delegate selection reforms of the late 1960s and early 1970s, campaign expertise was largely the province of the traditional party structure—the loose federation of party leaders at the national, state, and local levels. The national party organization charted campaign strategy, solicited donations, and coordinated the overall reelection effort in response to presidential direction.[72] Party officials at the state level provided the personnel and organiza-

[67] Richard Neustadt, *Presidential Power and the Modern Presidents* (New York: Free Press, 1990).

[68] See Barbara Kellerman, *The Political Presidency* (New York: Oxford University Press, 1986); George Edwards, *At the Margins* (New Haven: Yale University Press, 1989); Jon R. Bond and Richard Fleisher, *The President in the Legislative Arena* (Chicago: University of Chicago Press, 1990).

[69] John Aldrich and Thomas Weko, "The Presidency and the Election Campaign" in Michael Nelson, ed., *The Presidency and the Political System*, 3rd ed. (Washington, DC: Congressional Quarterly Press, 1992), 279.

[70] Typically, advisers' expertise pertains to one of five critical bargaining arenas: voter mobilization, campaign operations, policy research, public relations, or finance. Compare to Bone, *Party Committees*, 58–68; and John Kessel, *Presidential Campaign Politics*, 2nd ed. (Homewood, IL: Dorsey Press, 1984), 105–106.

[71] Compare to Paul Light, *The President's Agenda* (Baltimore: Johns Hopkins University Press, 1982), 25–33.

[72] See Bone, *Party Committees*, 116–123.

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tional expertise—controlling blocs of delegates and helping to mobilize voters in the general election.[73] To be sure, party officials did not dictate campaign strategy to the president; the critical decisions were made by him in close consultation with his personal advisers.[74] But presidents relied on party members to provide the information on which those decisions were based and to see that campaign strategy was carried out.

With the transformation of political parties as a result of campaign reforms, and a loosening of constraints on presidential staff size, however, successive presidents sought to replace the party with the president's own separate campaign organization and to control it directly from the White House. In effect, rather than rely on the existing party infrastructure, presidents began to internalize electoral expertise within their personal White House-centered campaign organizations.

The growth of the White House staff size came first, inadvertently fueled by FDR's 1939 creation of the Executive Office of the President (EOP), including the White House Office (WHO).[75] Although Roosevelt never intended to develop a White House-centered staff apparatus, the EOP and WHO gave his successors an institutional framework for doing just that. Almost without exception the modern presidents have sought to augment White House staff size.[76] With more numerous staff came the potential to assume political responsibilities previously handled by the party.

This potential, however, was not fully realized until changes to the presidential selection process undercut the parties' traditional role. The story is a familiar one. It is enough here to cite the major developments: campaign finance reform eroded the parties' financial ties to the candidate;[77] delegate selection shifted from closed caucuses controlled by the old-style political machine to primaries open to the party rank-and-file;[78] the media, prompted in part by the telecommunications

[73] See Edward McChesney Sait, *American Parties and Elections* (New York: The Century Company, 1927); Bone, *Party Committees*; and Cotter and Hennessy, *Politics Without Party*. For a first-hand glimpse of the traditional party campaign structure in action, read James Farley's memoir, *Behind the Ballots* (New York: Harcourt, Brace, 1938), which describes his role as FDR's primary campaign manager in 1932 and 1936. Farley simultaneously chaired the DNC and served as FDR's postmaster-general, dispensing patronage on the president's behalf.

[74] See Cotter and Hennessy, *Politics Without Power*.

[75] See Executive Order 8248 and Reorganization Plan I of 1939.

[76] See Terry Moe, "The Politicized Presidency" in John E. Chubb and Paul E. Peterson, eds., *The New Direction in American Politics* (Washington, DC: The Brookings Institution, 1985); Hart, *Presidential Branch*; and Samuel Kernell, "The Evolution of the White House Staff" in John E. Chubb and Paul E. Peterson, eds., *Can the Government Govern?* (Washington, DC: The Brookings Institution, 1989).

[77] See Sabato, *Rise of Political Consultants*; Gary Jacobson, "The Republican Advantage in Campaign Finance" in Chubb and Peterson, *The New Direction in American Politics*; Leon Epstein, *Political Parties in the American Mold* (Madison: University of Wisconsin Press, 1986); and David Magleby and Candice Nelson, *The Money Chase* (Washington, DC: The Brookings Institution, 1990).

[78] See James Ceaser, *Presidential Selection: Theory and Development* (Princeton, NJ: Princeton University Press, 1979); and Paul Herrnson, *Party Campaigning in the 1980s* (Cambridge, MA: Harvard University Press, 1988).

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revolution and changing standards of coverage, supplanted the party as the mediator between candidates and the public;[79] and a changing issue pool loosened traditional party allegiances among voters, in part by mobilizing heretofore dormant political groups.[80] Collectively, these developments transformed the electoral process from a party-centered to a candidate-centered system.[81]

The cumulative impact on the parties' organized campaign role has been dramatic. Comparatively speaking, they are now more unified at the national level, with fundraising and spending control increasingly centralized within the national committees. But party influence over the presidential nominating process, particularly candidate selection, and the running of presidential campaigns, has declined.[82] In the parties' stead, the White House staff has assumed campaign dominance, its members taking major responsibility for providing expertise pertaining to voter mobilization, campaign strategy, spending, policy, and media relations.

This switch in the locus of campaign control has produced unintended, and perhaps undesirable consequences from the incumbent president's perspective. Where once sitting presidents could expect the party to provide the necessary campaign expertise, now they must recruit and organize their own experts. Such a shift necessitates significant structural and personnel changes in the presidential staff.

We do not argue that governing and campaigning, and the resources required for both are mutually exclusive. Clearly, there is some overlap between the two. However, as Bradley Patterson, former assistant secretary to the Eisenhower cabinet, notes, the two missions are distinct enough to make it difficult for one organization to perform both effectively: "The virtues needed in the crucible of a campaign—are almost the opposite of the preparation needed for life within the White House."[83]

More specifically, we argue, to govern effectively in the American political system, one must build *coalitions*. This means bridging differences between actors and institutions through negotiated compromises.[84] Coalition building,

[79] See Larry Sabato, *Feeding Frenzy* (New York: Free Press, 1991); and Thomas Patterson, *Out of Order* (New York: Alfred A. Knopf, 1993).

[80] See Mark Peterson and Jack Walker, "The Presidency and the Nominating System" in Nelson, *The Presidency and the Political System*.

[81] See Sabato, *Rise of Political Consultants*, esp. 263–284; Epstein, *Political Parties*; Herrnson, *Party Campaigns*, 43; and Martin P. Wattenberg, *The Rise of Candidate-Centered Politics* (Cambridge, MA: Harvard University Press, 1991).

[82] See Austin Ranney, "The Political Parties: Reform and Decline" in Anthony King, ed., *The New American Political System* (Washington, DC: American Enterprise Institute, 1978), 245; Sabato, *Rise of Political Consultants*; Polsby, *Consequences of Party Reform*; Advisory Commission on Intergovernmental Relations (Robert B. Hawkins, chair), *The Transformation in American Politics: Implications for Federalism* (Washington, DC: ACIR, August 1986).

[83] Pfiffner, *Strategic Presidency*, 21.

[84] See Richard Neustadt and Charles O. Jones, *The Presidency in a Separated System* (Washington, DC: The Brookings Institution, 1994).

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however, is not the dominant campaign strategy under the postreform, primary-dominated electoral system. Instead, candidates mobilize factions by tailoring campaign messages to critical electoral blocs and by portraying rivals as unflatteringly as possible through high profile, frequently negative campaign tactics. As James Ceaser argues, "[T]he current system creates more incentives to promote differences among factions and fewer incentives to weld these factions together into broad and relatively harmonious coalitions."[85]

Rather than build coalitions, then, incumbent presidents—indeed, all presidential candidates—must today mobilize *factions* to survive the primaries and prevail in the general election.[86] But faction formation requires different expertise than does coalition building.[87] For campaigning, presidents want advisers skilled at manipulating political symbols, comfortable conversing in policy abstractions, knowledgeable about electoral procedures (that is, rules governing delegate selection, campaign finance laws, and filing deadlines) and able to utilize rhetoric and (frequently) negative advertising.[88] But governing requires different skills. Here presidents want aides steeped in policy details, sensitive to the bargaining interests of other Washingtonians, and temperamentally suited to the negotiating mode characteristic of coalition building. Consequently, during the second half of the president's term, as the White House's *raison d'être* changes from governing to electioneering, the demand for campaign-related as opposed to governing expertise inflicts tremendous organizational disruption.

Conclusion: A Need for Reform?

Since the early 1970s scholars have repeatedly cited the difficulties newly-elected presidents confront when making the transition from campaigning to governing.[89] Less attention, however, has been paid to the problems presidents encounter in the shift from governing back to campaigning. In fact, our research suggests the two transitions are related; as the Bush and Clinton organizational adjustments cited at the outset of this article suggest, presidents find it difficult to mold and maintain a presidential staff organization that is skilled at both campaigning and

[85] James Ceaser, *Reforming the Reforms* (Cambridge, MA: Ballinger Publishing Company, 1982), 110.

[86] Polsby, *Consequences of Party Reform*, 150–151.

[87] Hart, *Presidential Branch*, 129.

[88] These campaign characteristics are vividly illustrated in the film *The War Room*, which chronicles the activities of perhaps the two key members of Clinton's 1992 campaign staff: James Carville and George Stephanopoulos. Both were instrumental in engineering Clinton's victory. Stephanopoulos, however, found the transition to governing difficult; after five months he was "promoted" to a less visible White House staff post. Although Carville continued to advise the president, he never took a formal position with the Clinton White House.

[89] See Pfiffner, *The Strategic Presidency*; James Pfiffner, "The Clinton Transition," Working Paper 95:4, The Institute of Public Policy, George Mason University, 1995; and Carl M. Brauer, *Presidential Transitions* (New York: Oxford University Press, 1986).

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governing. When parties played an integral role in the presidential electoral process, the mismatch between these two bargaining arenas was not so problematic. Presidents could rely on the White House staff for governing expertise, while utilizing the party apparatus for campaign support. However, as the party role declines and the presidential staff assumes greater responsibility for providing campaign resources, the strain of asking one institution to perform two different missions becomes more apparent. Indeed, it may partly explain why only two presidents—Nixon in 1972 and Reagan in 1984—have successfully campaigned for reelection in the postreform era through 1992.[90] The combination of electoral reforms and the development of the institutional presidency may make it more difficult to translate presidential effectiveness in one bargaining arena to the other.

Since at least the 1950s, of course, political scientists have sought to remedy the perceived weaknesses of the American constitutional system by strengthening political parties.[91] Our findings suggest that such efforts may be in presidents' interest if it allows them to divest the presidential staff of primary responsibility for providing campaign-related expertise.[92] This is not to argue that presidents or their senior advisers should be expected to abdicate oversight of the presidential campaign. Instead, our point is that presidents may benefit by absolving the White House staff from assuming the dominant responsibility for providing campaign-related expertise. By vesting operational functions outside the White House, presidents can then concentrate on utilizing the presidential staff primarily as a governing tool, avoiding the organizational disruptions that the switch in presidential objectives now entails. For if there is a recurring lesson to be derived from recent presidential transitions, it is that campaigning and governing call for different skills—and thus different organizations.*

[90] If we follow Ceaser, *Presidential Selection*, 215, in dating the traditional party (or mixed) system from 1920 to 1968, only one incumbent president in this era—Herbert Hoover in 1932—was denied reelection. Three—FDR, Truman and Eisenhower—were returned to office. Johnson, of course, won election in his own right in 1964, but then dropped out of the race four years later after a disappointing showing in the New Hampshire primary. In the postreform era, two incumbents—Nixon and Reagan—successfully ran for reelection, while Ford, Carter and Bush were all defeated.

[91] "Toward a More Responsible Two Party System," A Report of the Committee on Political Parties, The American Political Science Association (New York: Rinehart, 1950); see also Epstein, *Political Parties*, 9–39; and Reichley, *Life of the Parties*, 411–433.

[92] Indeed, our interviews suggest that this may have been the rationale behind Bush's appointment of Lee Atwater as RNC chair. As a former RNC chair himself, Bush sought a trusted and skilled strategist to revitalize that organization. Atwater's death, however, created a political void that Bush did not take the time to fill adequately. As a result, the RNC played a supportive role in the 1992 campaign. (Fitzwater interview, 19 May 1994; Frank Donatelli phone interview, 1 July 1994; and David Carney interview, 20 May 1994).

* The authors thank Andrew Rudalevige, Adele Grignon, and Amanda Spector for their expert research assistance.

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Deciphering Africa's Divergent Transitions

MICHAEL BRATTON

Commentaries on recent political developments in the sub-Saharan region run the gamut from giddy Afrophilia to gloomy Afropessimism. Early assessments were hopeful, seeing the peaceful electoral displacement of authoritarian regimes in countries like Benin and Zambia as harbingers of "political renewal" and a "second liberation."[1] A critical backlash soon followed in the wake of a series of disputed elections in places like Angola and Kenya. At best, analysts pondered thoughtfully about the sustainability of multiparty competition under conditions of ethnic fragmentation and elite corruption[2] or, at worst, lapsed into apocalyptic warnings of impending civil disorder in the wake of the "stalling . . . winds of change."[3]

In my view, analysts should not rush to judgment but instead adopt a detached and broadly comparative view of what is essentially a mixed situation of democratization in Africa. As David Peterson suggests, "democratic development will not be a uniform, linear process":[4] even in democratizing countries, transitions

[1] See Richard Joseph, "Africa: The Rebirth of Political Freedom," *Journal of Democracy* 2 (October 1992): 11–25; Dag Hammarskjold Foundation, *The State in Crisis in Africa: In Search of a Second Liberation* (Uppsala, Sweden: Dag Hammarskjold Foundation, 1992); and Goran Hyden and Michael Bratton, eds., *Governance and Politics in Africa*, (Boulder, CO: Lynne Rienner Publishers, 1992), preface.

[2] Réné Lemarchand, "Africa's Troubled Transitions," *Journal of Democracy* 3 (October 1993): 98–109. The editors of *Africa Demos* (Atlanta, GA: The Carter Center) considered that "as the new year (1993) begins, we are no longer so optimistic. The struggle for democracy has been forced onto a new and disadvantageous plane," 3 (February 1993): 14.

[3] Marguerite Michaels, "Retreat from Africa," *Foreign Affairs* 72 (January-February 1993): 93. In the gothic vein, see also Robert D. Kaplan, "The Coming Anarchy: How Scarcity, Crime, Overpopulation, Tribalism, and Disease are Rapidly Destroying the Social Fabric of Our Planet," *The Atlantic Monthly*, February 1994, 44–65.

[4] David Peterson, "Africa's Rocky Ascent," *Freedom Review* 24 (February 1993): 17.

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unfold with occasional steps back for every step forward; and as some countries advance toward democracy, others relapse into authoritarianism. Some moments will be more conducive to democratization than others, making long-term predictions from short-term trends risky at best. For example, a preponderance of democratic transitions in Africa in 1991 and 1994 gave way to a flurry of flawed elections in 1992 and 1993. At any given time, optimists can discover reasons for celebration in some countries and skeptics can find their worst fears confirmed in others.

By the end of 1994, the closing date for this study, the diversity of transition outcomes in Africa was compellingly illustrated by the contrasting fates of Nigeria and South Africa. Political developments in these regional giants have always influenced events in surrounding countries and helped characterize politics on the continent as a whole. Against the odds, South Africa made a harmonious transition to multiracial power-sharing under a government of national unity via democratic elections in April 1994. At the other end of the continent, Nigerians ended a carefully calibrated program of local, regional, and parliamentary elections by voting for presidential candidates in June 1993, in a poll that was untypically free of irregularities. In this case, however, the military government stepped in to abort the announcement of election results and to suspend all democratic institutions. A new dictator emerged from within the army who, by imprisoning pro-democracy activists and crushing an oil workers' strike, tightened the old regime's grip on power.

It is therefore inappropriate to announce either the triumph or exhaustion of the democratic impulse in Africa. Rather than seeking simple cross-continental generalizations, analysts must recognize that African countries are embarked on forking, circuitous, and contested paths. The scholarly task is to summarize and explain Africa's divergent transitions, with special attention to the factors that have encouraged the emergence of incipient democracies, but without overlooking the persistence and mutation of personalistic dictatorships. Understanding the dizzying variation in the dynamics and outcomes of Africa's regime transitions is the object of this article. In so doing, I propose an explanation of democratization—developed at greater length in the larger study from which this article is drawn—which draws upon the institutional features of Africa's opposition movements and military forces.

Before proceeding, a word on the definition of democracy. David Collier considers that "efforts to standardize terminology" have led to "a substantial consensus . . . around a procedural minimum or expanded procedural minimum definition" in the comparative politics literature.[5] Thus, one need only ask: by what minimal set of political procedures are citizens in a modern state able to

[5] David Collier and Steven Levitsky, "Democracy with Adjectives: Strategies to Avoid Conceptual Stretching" (paper presented at the annual meeting of the Latin American Studies Association, Washington DC, October 1995), 2, 5.

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govern themselves? Following Joseph Schumpeter,[6] the most basic requirement for democracy is that citizens are empowered to choose and remove leaders. In this study, a transition to democracy is held to have occurred with the installation of a national government chosen on the basis of one competitive election, as long as that election is freely and fairly conducted within a matrix of civil liberties and all the contestants accept the validity of the election results.

While hewing to the prevailing definition, I nonetheless recognize that elections alone are not a sufficient condition of democracy. This article seeks to avoid the "fallacy of electoralism" in two ways.[7] The definitional requirement that democracy includes respect for civil liberties ensures that elections are not merely formalistic exercises in the uncontested ratification of incumbents. Second, the label "democratic" is attached to regime transitions, signifying only whether a new regime is installed by electoral means, without reference to its subsequent fate. The important, but analytically separate question of regime consolidation is not addressed except fleetingly at the end. Clearly, in the long run, democratization involves the permanent establishment of many valued institutions apart from elections, such as civilian control over the military, independent legislatures and courts, viable opposition parties and voluntary associations, plus a free press. But no other democratic institution precedes elections, either in timing or importance; they are the sine qua non of democracy, a necessary condition without which democracy cannot otherwise be born.

A Period of Regime Transition

The first half of the 1990s saw widespread political turbulence across the African continent, which can be summarized with reference to a few key political trends. Transitions away from one-party and military regimes started with political protest, evolved through liberalization reforms, often culminated in competitive elections, and usually ended with the installation of new forms of regime. While not unfolding uniformly and to the same extent everywhere, these movements and institutional rearrangements were evident to some degree in almost all African countries. Together, they amounted to the most far-reaching shifts in African political life since the time of political independence thirty years earlier. Linked in a rough sequence, they delineate a period of regime transition in Africa which lasted for approximately five years between the beginning of 1990 and the end of 1994.

[6] Joseph A. Schumpeter, *Capitalism, Socialism and Democracy* (1942, reprinted, London: Allen and Unwin, 1976), 260. For fifty-year retrospective reflections see the special issue of *The Journal of Democracy* 3 (July 1992).

[7] Philippe Schmitter and Terry Lynn Karl, "What Democracy Is . . . And Is Not," *Journal of Democracy* 2 (Summer 1991). For a critique of policy makers' susceptibility to this fallacy, see Abraham F. Lowenthal, ed., *Exporting Democracy: The United States and Latin America* (Baltimore: Johns Hopkins University Press, 1991); and Thomas Carothers, *In the Name of Democracy: U.S. Policy Toward Latin America in the Reagan Years* (Berkeley: University of California Press, 1991).

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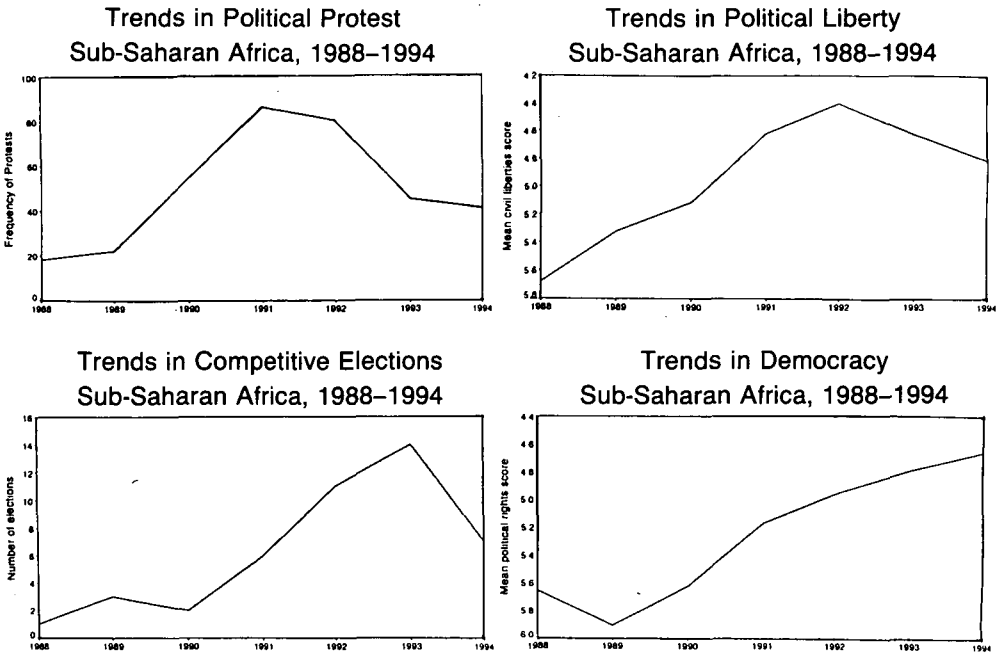
FIGURE 1



These political trends are depicted graphically in Figures 1.1 to 1.4. Data is derived from two main sources: an original data handbook on African political transitions[8] and a standard, time-series data set on civil liberties and political rights worldwide.[9] Starting in 1990, the number of political protests in sub-Saharan Africa rose dramatically, from about twenty incidents annually during the 1980s to a peak of some eighty-six major protest events across thirty countries

[8] Michael Bratton and Nicolas van de Walle with Kimberly Butler, Soo Chan Jang, Kimberly Ludwig, and Yu Wang, "Political Regimes and Regime Transitions in Africa: A Comparative Handbook." For machine-readable format, see University of Michigan, International Consortium for Political and Social Research, 1996; for hard copy see Michigan State University, *MSU Working Papers on Political Reform in Africa*, no. 14 (East Lansing, Department of Political Science, MSU, 1996). Collection of data was made possible by National Science Foundation Grant No. SBR 9309215.

[9] *The Comparative Survey of Freedom* (New York: Freedom House, 1989-1995). Freedom House reports scores for a country's compliance with standard lists of civil liberties (thirteen items) and political rights (nine items) as estimated by a panel of expert reviewers. It summarizes the quality of different regimes on a seven-point scale, with 1 representing the "most free" and 7 the "least free." The Freedom House data has been criticized and defended over the years. See Kenneth Bollen, "Liberal Democracy: Validity and Method Factors in Cross-National Measures," *American Journal of Political Science* 34 (November 1993): 1207–30; versus Edward A. Muller and Mitchell N. Seligson, "Civic Culture and Democracy: The Question of Causal Relationships," *American Political Science Review* 88 (September 1994): 637. In practical terms, the survey provides the best coverage of any data set on liberties and democracy currently available. The data are derived in a reasonably systematic manner, presented in quantitative form, and are complete both cross-sectionally (for 186 countries in recent years) and over time (from 1973 to the present).

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in 1991.[10] (See Figure 1.1.) The following year marked the pinnacle of a trend of increased political liberty in which African governments gradually introduced reforms to guarantee previously denied civil rights. (See Figure 1.2.)[11] There was also a marked upswing in the number of competitive national elections, from no more than two annually in the 1980s to a record fourteen in 1993. (See Figure 1.3.)[12] That the general direction of change was toward democracy is evidenced by the gradually increased availability of basic political rights, which climbed steadily from a low point in 1989 to a peak in 1994. (See Figure 1.4.)[13] There is thus little doubt that Africans experienced a broad and pronounced ferment of political change in the early 1990s.

The data point to several noteworthy features about regime transition in Africa. First, key political events occurred sequentially, peaking at roughly one year intervals: whereas the frequency of political protests crested in 1991, liberalization reforms reached their apex in 1992; whereas most electoral activity occurred in 1993, indicators of democracy were still rising in 1994. The succession of transition events strongly suggests that one trend precipitated the next. In other words, increases in mass protests may have directly contributed to elite decisions to undertake political reform. Subsequently, the extent of reform measures may have in turn influenced the convening of competitive elections, some of which led to democratic transitions. Thus connective patterns seem to underly what otherwise appear to be highly contingent political processes.

Second, African regime transitions happened rapidly. No more than four years elapsed between the beginning of the political protest movement in 1990 and 1993's feverish round of elections. Indeed, for the thirty-five sub-Saharan African countries that completed regime change by December 1994, the median interval between the onset of transition and the accession to office of a new government was just thirty-five months (and just nine months in Côte d'Ivoire). Compared with the recent experience of Poland and Brazil, where democratization evolved gradually over periods of at least a decade, African regime transitions seemed frantically hurried. Insofar as democratization involves the institutionalization of procedures for popular government, precious little time was available for such procedures to take root, implying that the consolidation of democratic institutions in Africa will be problematic in years to come.

[10] Political protest is defined as mass action directed at political goals. Its incidence was counted from the annual editions of a single document of record: *Africa South of the Sahara* (London: Europa Publications, 1989-1995).

[11] Political liberty is operationalized as the average civil liberties score for all 47 sub-Saharan African countries as measured in *The Comparative Survey of Freedom* (1989-1995).

[12] See the elections listed in Table 2, plus all other competitive, direct legislative elections, 1988-1994. The data include all forty-seven sub-Saharan African countries, including existing multiparty regimes. It also covers elections to constituent assemblies (in Ethiopia and Uganda in 1994), but excludes indirect elections (in Uganda in 1989 and Swaziland in 1993).

[13] Democracy is operationalized as the average political rights score for all forty-seven sub-Saharan African countries as measured in *The Comparative Survey of Freedom* (1989-1995).

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Finally, trends in African regime transitions were not linear. Recent peaks in key transition events were followed by descents toward new valleys.[14] Declining mean civil liberties scores for African countries after 1992 amounted to a genuine setback in political liberalization. They reflect not only the reclosing of some political regimes after promising initial openings, but also the incidence of major human rights catastrophes in countries like Somalia and Rwanda. Indeed, the entire wave of regime transition in Africa passed its zenith during 1993 as the emergence of fragile democracies in a few countries began to be offset by a rehardening of political regimes elsewhere. Continued gains in democratization through 1994 (see Figure 1.4), an apparent exception to the downturns in other trends, can probably be attributed to the cumulative effect of the installation by competitive elections of four new regimes—in South Africa, Malawi, Guinea-Bissau, and Mozambique—in that year. Based on the observation of sequential linkages among transition trends, one would expect the mean political rights scores for African countries also to turn downward in the near future.

Divergent Transition Paths

The existence of continent-wide political trends does not mean that every African country was destined to march in a predetermined lockstep. Far from it. African countries embarked on distinctive and divergent paths; most importantly, some arrived at a democratic regime while others failed to do so. The major forks in the branching tree of regime transitions can be identified by asking for each country: Did protest occur? Was there political liberalization? Did the country complete a free and fair election?

Figure 2 represents diagramatically the various paths charted by African countries during the period of regime transition. The numbers in parentheses signify the number of countries that did (Yes) or did not (No) experience protest, liberalization, and free elections. From now on, the study population contains only the forty-two countries that possessed authoritarian regimes in 1989. In other words, the five countries with existing multiparty regimes at that time—Botswana, Gambia, Mauritius, Senegal, and Zimbabwe—were held aside, because they had already undergone a transition to at least a minimal form of democracy via competitive elections.

Each fork in the transitions tree is explored in turn, beginning with political protest, defined as demonstrations, boycotts, or strikes in which participants demanded political rights or new rulers. Political protests were widespread and

[14] In part, curvilinear trends reflect the nature of the political phenomena under study. Street protests are naturally episodic, because protesters can rarely sustain high levels of mobilization over a long duration, especially if they attain their objectives. Elections occur intermittently after fixed intervals. Following a rash of polls, one would expect their frequency to decline until the next electoral cycle. The liberalization or democratization of political regimes is less bound by such intrinsic rhythms; trends in these phenomena are more likely to depict secular political changes.

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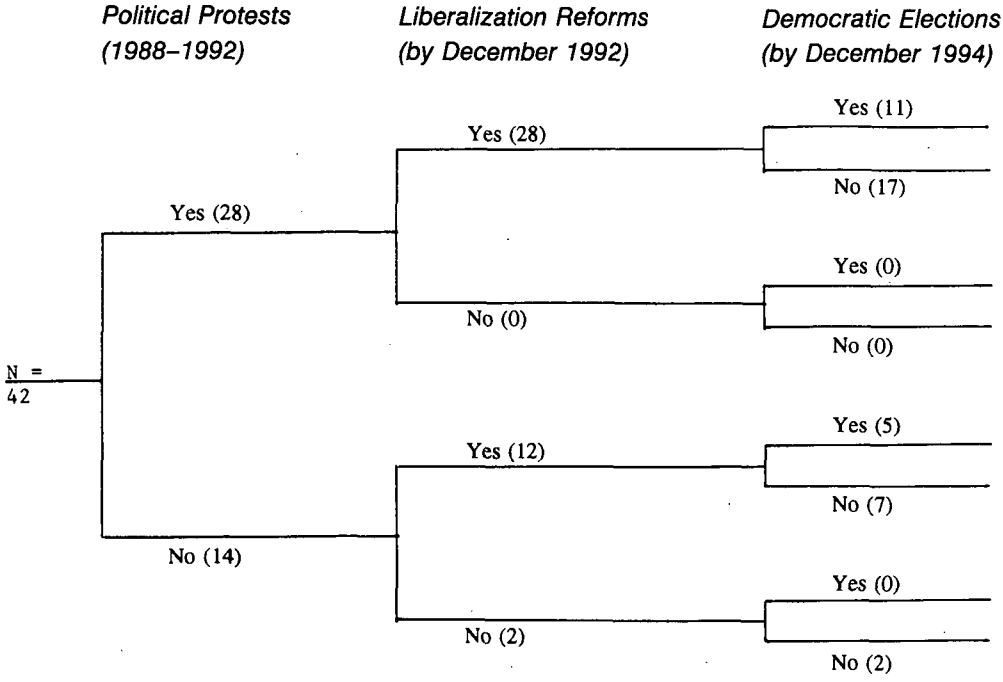
FIGURE 2

Paths of Regime Transition, Sub-Saharan Africa, 1988–1994



served as a general catalyst of regime change in Africa. According to our data for the period 1988 to 1992, street demonstrations calling for political change occurred in a majority of the countries under review (28 out of 42). Born in economic grievances and driven by anger at elite corruption, mass protests turned explicitly political with calls for competitive elections as a means to oust entrenched dictators. Centered on African capital cities, the protests were sparked by students and unionized workers, although they were later appropriated and further fomented by out-of-power politicians. In places like Benin, Congo, Mali, Malawi, South Africa, and Zambia, incumbent rulers lost the political initiative to popular forces.

Yet the African tendency for transition to be ignited from below should not deflect attention from the fourteen countries that experienced no mass disturbances during this period. If a country was consumed by internal war (Angola, Ethiopia), opposition to the incumbent regime was sidetracked from peaceful political demonstration into armed struggle. Even where relatively stable governments managed to contain armed insurrections to up-country regions (Djibouti, Uganda), civilian opposition activity was risky in the context of the regime's security controls. In countries without armed opposition groups (Cape Verde, Seychelles), opposition elements were poorly organized and easily outmaneu-

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vered by incumbent state elites. Thus, while political protest was widespread, it was not universal.

The second branch in the transitions tree distinguishes the incidence of political liberalization, defined as the relaxation of official controls on basic civil rights. Notably, almost all African regimes opened up politically to some degree by the end of 1992. The most far-reaching reforms involved constitutional amendments to relegalize opposition political parties and to impose term limits on the presidency. Even where incumbent rulers refused to countenance real reforms to enhance political competition or restrain the executive branch, they still eased restrictions on opponents, for example by releasing political prisoners or permitting the circulation of unofficial newspapers. As basic freedoms of expression and association became more readily available, and as the vulnerabilities of repressive regimes were revealed, African citizens became less fearful of state power. The emboldenment of citizens and the reawakening of independent political activity were the most profound innovations of Africa's interlude of liberalization.

Only two African countries entirely avoided meaningful political reforms. In Liberia, the repeated failure of three warring factions to abide by externally-brokered peace agreements impeded progress towards the establishment of a time table for general elections. In Sudan, the military government of Muhammed al-Bashir ceded power behind the scenes to the National Islamic Front but by December 1994 had failed to follow through on a pledge to return to democratic rule. Promising early openings during political transitions were sometimes sealed again later. Deliberalization occurred even in some of Africa's long-standing multiparty regimes, for example when President Abdou Diouf of Senegal briefly placed his principal political opponent in administrative detention following violence after the legislative elections of May 1993.[15]

Notably, the absence of political protest did not preclude movement down a path of transition. In the war-torn countries, political liberalization came about as the product of the terms of an internationally supervised peace agreement (Angola and Mozambique) or an outright guerrilla victory (Ethiopia). More commonly, in eleven of the fourteen countries that did not experience protest, incumbent rulers took the lead by introducing political openings at their own initiative. They did so either as part of a planned power transfer from military to civilian rule or as one-party leaders of small states that were strapped for donor development resources. It is therefore noteworthy that, while transition processes in Africa were usually driven from below by mass protest, they were sometimes initiated from the top at the behest of incumbent rulers.

Finally, on the outermost twigs of the transition tree, political paths parted according to whether African countries convened a democratic election. (See Figure 2, last column.) Sixteen sub-Saharan countries met this minimal procedural

[15] On these events, see "Senegal: Damaged Credentials," *Africa Confidential* 35 (15 April 1994). On the broader issues of the crisis of Senegalese democracy, see Babacar Kante, "Senegal's Empty Elections," *Journal of Democracy* 5 (January 1994): 96–107.

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test for a transition to democracy by the end of 1994. In these cases, new governments were installed following competitive elections that were freely and fairly conducted and in which the losers accepted the results. But even given the global wave of democratization in the late twentieth century, democratic outcomes were not universal in Africa: alongside the sixteen governments that convened democratic elections by the end of 1994, some twenty-six others either failed to hold elections or in their elections did not adhere to basic standards of free and fair conduct.

With reference to Figure 2, five basic paths of regime transition in Africa can be discerned. First, democratization occurred most frequently in countries that liberalized following political protests. Eleven African countries completed this general path. The modal route to democracy led from protest through liberalization to free and fair elections (see top branch). Second, the most common path of regime transition was liberalization without democratization. More countries (seventeen) followed this path than the previous one, making it the most common transition path of all. In these countries, the old regime experienced political openings following popular protests but failed to consummate a democratic transition via free and fair elections. Notably, protest always led to political reform in twenty-eight out of twenty-eight cases, resulting in regimes that were at least somewhat more liberal than the authoritarian models of the past. Third, democratization was possible without protest. Five countries held democratic elections under circumstances where the initiative to liberalize had been taken by political elites in the absence of political pressure from below. Fourth, where elites took the lead on liberalization, the more common outcome was a failure to democratize, a path traced by seven countries. Finally, transition was entirely precluded in the two countries that experienced neither protest nor liberalization.

What sort of regimes emerged from these transitions? Table 1 classifies African countries according to their transition outcome at the end of 1994.

Where transitions were *precluded*, political conditions were unconducive to the construction of any kind of functioning form of governance, least of all democracy. Endemic civil war made the internal security situation so uncertain that civil society was cowed or destroyed, political elites were preoccupied with military matters, and efforts at political reform could not get underway. Protagonists were unable to agree on the boundaries of the political community, let alone the rules for selecting political leaders and making public policy. In Liberia, regime transition was precluded by the collapse of the apparatus of the central state, and with it the authority of the incumbent regime;[16] in Sudan, where the center held, intransigent rulers used popular armed resistance in the south of the country as an excuse to harden the regime.

[16] See William Zartman, ed., *Collapsed States: The Disintegration and Restoration of Legitimate Authority* (Boulder, CO: Lynne Rienner Publishers, 1995), esp. the chap. by Martin Lowenkopf, "Liberia: Putting the State Back Together," 91–108.

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TABLE 1

Transition Outcomes, Sub-Saharan Africa (as of 31 December 1994)

Precluded Transitions	*Blocked Transitions*	*Flawed Transitions*	*Democratic Transitions*
(2)	(12)	(12)	(16)
Liberia	Angola	Burkina Faso	Bénin
Sudan	Burundi	Cameroon	Cape Verde
	Chad	Comoros	CAR
	Ethiopia	Côte d'Ivoire	Congo
	Guinea	Djibouti	Guinea-Bissau
	Nigeria	Eq. Guinea	Lesotho
	Rwanda	Gabon	Madagascar
	Sierra Leone	Ghana	Malawi
	Somalia	Kenya	Mali
	Tanzania	Mauritania	Mozambique
	Uganda	Swaziland	Namibia
	Zaire	Togo	Niger
			São Tomé
			Seychelles
			South Africa
			Zambia

Where incumbent elites avoided convening elections, transitions that were initially promising later became *blocked*. In these cases (twelve), political reforms were launched but never completed. Most commonly—as in Zaire and Rwanda—rulers made insincere and tactical concessions that aimed at buying time to shore up collapsing authority, with no real intention of implementing elections or surrendering power. Alternatively—as in Nigeria and Togo—a powerful corporate group such as the military became threatened by the pace and direction of reform and intervened to nip it in the bud. Sometimes—as in Tanzania and Uganda—the timetable for reform set by state elites was so protracted that by the end of 1994 it still had not run its course. Whatever the reason, in blocked transitions, an initially promising process bogged down.

Where incumbents accepted elections, but manipulated the conduct or results, the transition was *flawed*. In these cases (twelve), incumbent strongmen could not halt opposition demands for political reform. Instead, they allowed the reform process to unfold, often actually losing control. For example, and often explicitly against their better judgments, incumbent rulers acquiesced to competitive elections. At the same time, however, they exploited the powers of incumbency to manipulate the rules of the political game, for example by rigging electoral procedures, monopolizing campaign resources, or interfering with the polls. The results—as in Cameroon, Gabon, Ghana, and Kenya—were dubious elections that usually returned the incumbent.

Democratic regimes only emerged following valid electoral transitions. As noted, there were sixteen such cases, the details of which are explored later in this article. If we add these cases to the five preexisting African multiparty regimes, then some 45 percent of sub-Saharan countries can be said to have

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obtained the minimal attributes of democracy by the end of 1994. Conspicuously, however, democracy in Africa was an attribute of small states. Out of twenty-one extant democratic regimes, nine had 1989 populations of fewer than two million and four had populations of fewer than one million. Hence the proportion of Africans living under democratic regimes amounted to no more than 25 percent of the total population of the continent.[17]

The remainder of this article probes the conditions underlying the installation of democratic regimes in Africa. It asks: What factors distinguish democratic transitions from the flawed or blocked variety? By way of answer, attention is drawn to the institutional attributes of two major protagonists in the transition: the cohesion of opposition movements and the political loyalty of military forces.

Interpreting Founding Elections

Democratic transitions are distinguished from blocked transitions in important part according to whether a founding election is held. A founding election occurs when "for the first time after an authoritarian regime, elected positions of national significance are disputed under reasonably competitive conditions."[18] In the context of personalistic rule in Africa, the requirement is added that the top office of chief political executive must be open to multiple candidates.

By these standards, twenty-nine founding elections were held in Africa during the five-year interval between Namibia's historic legislative contest on 11 November 1989 and 31 December 1994, the closing date for this study. These elections are listed chronologically in Table 2. Africa's founding elections usually took the form of a contest for the presidency, though legislative elections could qualify if the head of government was chosen by means other than a direct election for president, as in Lesotho, Namibia, and South Africa.

What explains the incidence of such elections? Among other factors, founding elections occurred most commonly in the presence of a cohesive opposition movement.[19] This categorical variable distinguished fragmented opposition movements (with multiple leaders and weak organizations) from relatively cohesive ones (with a dominant leader and relatively strong organization). Of the sixteen African countries that possessed cohesive opposition movements, fifteen held a founding election. This suggests that opposition leaders who forged broad social movements in which dissident factions came to share a political agenda—even if only momentarily—were able to induce incumbent rulers to concede competitive contests.

[17] This observation complements the classic insights of Robert Dahl and Edward Tufte, *Size and Democracy* (Stanford, CA: Stanford University Press, 1973); and Axel Hadenius, *Democracy and Development* (Cambridge, England: Cambridge University Press, 1992), 123–127.

[18] See Guillermo O'Donnell and Philippe C. Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies* (Baltimore: Johns Hopkins University Press, 1986), 57.

[19] Phi = .356, sig. = .021.

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TABLE 2

Founding Elections in Sub-Saharan Africa, 1989–1994[1]

Country	*Date*	*Free and Fair?*	*Incumbent Ousted?*	*Loser Accepts?*
Namibia[2]	11 Nov 1989	Yes	Yes?[4]	Yes*
Côte d'Ivoire	28 Oct 1990	Yes?[3]	No	No
Comoros	3 Mar 1990	Yes?	No	No
Cape Verde	17 Feb 1991	Yes	Yes	Yes*
São Tomé	3 Mar 1991	Yes?	Yes?	Yes*
Bénin	24 Mar 1991	Yes	Yes	Yes*
Zambia	31 Oct 1991	Yes	Yes	Yes*
Burkina Faso	1 Dec 1991	No	No	Yes?[5]
Mauritania	24 Jan, 1992	No	No	No
Mali	26 Apr 1992	Yes	Yes?	Yes*
Congo	17 Aug 1992	Yes	Yes	Yes*
Angola	29 Sep 1992	Yes	No	No
Cameroon	11 Oct 1992	No	No	No
Ghana	3 Nov 1992	Yes?	No	Yes?
Kenya	29 Dec 1992	No	No	Yes?
Madagascar	28 Feb 1993	Yes	Yes	Yes*
Niger	27 Mar 1993	Yes	Yes	Yes*
Lesotho[2]	28 Mar 1993	Yes	Yes	Yes*
Burundi	1 Jun 1993	Yes	Yes	No
Nigeria	12 Jun 1993	No	No	No
Seychelles	23 Jul 1993	Yes	No	Yes*
CAR.	22 Aug 1993	Yes?	Yes	Yes*
Togo	25 Aug 1993	No	No	No
Gabon	5 Dec 1993	No	No	No
Guinea	19 Dec 1993	No	No	No
South Africa[2]	26 Apr 1994	Yes	Yes	Yes*
Malawi	17 May 1994	Yes	Yes	Yes*
Guinea-Bissau	7 Aug 1994	Yes?	No	Yes*
Mozambique	27 Oct 1994	Yes	No	Yes*
Summary	1989 1	Yes 15	Yes 11	Yes* 16
	1990 2			
	1991 5	Yes? 6	Yes? 3	Yes? 3
	1992 7			
	1993 10	No 8	No 15	No 10
	1994 4			
	N = 29			

* An asterisk denotes a *democratic transition*

[1] Founding elections are defined as elections in which the office of head of government is openly contested following a period during which multiparty political competition was denied.

[2] Unless otherwise indicated, the data in the table refer to presidential elections. Of the 29 elections listed, 26 were presidential elections. In Namibia and South Africa, the president is elected indirectly by the national assembly, so for those cases we reported the results of the legislative election; Lesotho has a parliamentary system in which the leader of the largest bloc in the legislature is invited, as prime minister, to form a government.

[3] Observers reported major violations in polling and counting in elections in Côte d'Ivoire, Senegal, and CAR but judged that they were not so severe as to change the overall result. In Comoros "observers agreed that procedures on election day were free and fair despite opposition protests or boycotts." See Melanie Bixby, "Promoting Democracy in Sub-Saharan Africa: AF Policy, Programs and Challenges," Washington, D.C., Department of State AF/RA, June 1994.

(*Footnotes continued on facing page*)

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Transforming loose urban protest movements into dominant political parties that could push effectively for elections and organize nationwide election campaigns was a formidable challenge in all African states. Leaders emerged to meet this challenge in very few instances. The distinction between the convergence and splintering of opposition forces is nicely captured by contrasting Zambia and Zaire. The Movement for Multiparty Democracy (MMD) in Zambia was born as an umbrella committee of interest groups whose principal demand was, as its name suggested, the restoration of competitive politics. To form an opposition front, Frederick Chiluba led the trade union movement into a coalition with business, professional, student, and church groups. As well as bridging class and status divides, the urban-based MMD skillfully used the far-flung teachers' and civil servants' unions to mobilize support in the countryside and, through its own multi-ethnic leadership, drew in followers with diverse tribal, linguistic, and regional identities. The MMD marshaled enough popular support to force the country's founding father, Kenneth Kaunda, to move directly to elections.

In Zaire, however, the opposition never effectively came together. The announcement of the restoration of multiparty competition led to a proliferation of political parties, some 130 in all. While nominally united in an alliance known as the Union Sacrée, the opposition was repeatedly outmaneuvered by President Mobutu Sese Seko's divisive tactics. Some opposition leaders were tempted to set up their own organizations by his provision of public financing to cover operating costs for new parties. Others accepted Mobutu's inducements to accept positions in the national government, only to find their authority limited and their decisions countermanded by military forces loyal to the president. At the same time, all major contenders engaged in ethnic demagoguery, mobilizing regional powerbases in their own quests to obtain or retain power. By 1994, Mobutu had succeeded in marginalizing his main rival, Etienne Tshisekedi, by placing a moderate technocrat in the post of prime minister and driving a wedge through the opposition alliance. Under these circumstances, a fragmented opposition movement was unable to force the convocation of promised presidential elections.

Even where elections were held, fragmented oppositions commonly lost. In Côte d'Ivoire, for example, the opposition movement was riven from the outset with personal, ideological, and regional differences which were manifest in twenty-six political parties, seventeen of which fielded legislative candidates. These factions exerted more energy bickering among themselves than in coordinating action against the incumbent. Only the Front Populaire Ivoirien (FPI) had

[4] In some countries the incumbent did not run. In São Tomé, incumbent President da Costa retired from politics. In Mali, Moussa Traoré was ousted by military coup and his successor, an interim caretaker, did not run in the presidential elections.

[5] In Burkina Faso, the opposition only accepted the results after the parliamentary elections of May 1992.

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any credibility as an opposition organization, though its leader—Laurent Gbagbo, a history professor—had little appeal beyond educated classes in urban areas. As the brief election campaign got underway, it became clear that a fractious and barely organized opposition was no match for the electoral machine of the Parti Démocratique de la Côte d'Ivoire that stood ready to cash in on Felix Houphouët-Boigny's residual popularity as the grand old man of Ivoirien politics. Elsewhere, as in Kenya and Malawi, the opposition foundered on the shoals of personal ambition when the leaders of ethnic or regional factions were unable to agree on a single candidate to run against the incumbent president.

By contrast, cohesive opposition movements commonly went on to win founding elections. The MMD in Zambia formed itself into a political party as soon as parties were relegalized, overwhelmed all other opposition parties (none of which obtained legislative seats), and trounced the ruling party in founding elections. Other cohesive opposition movements had somewhat different origins and fates. In Niger, the Alliance of Forces for Change (AFC) was a loose grouping of six independent parties that rallied behind the presidential candidacy of Mahamane Ousmane. Though no coalition partner won as many seats as the former ruling group, the AFC hung together after the election and was able to deprive the ruling party of control of the legislature. Rather than comprising a coalition, the Basotho Congress Party in Lesotho was a reincarnation of a banned nationalist party whose internal factionalism was overcome in 1990 under the leadership of Ntsu Mokhlele. This single opposition party swept the polls, capturing all sixty-five seats in the new national assembly.

This is not to say that political oppositions that came together around founding elections were ordained to remain united. Protest movements spawned protest voters: groups with very different grievances were momentarily joined in the common goal of disciplining unpopular leaders. Once this immediate objective was accomplished, divisions of interest reemerged. By rallying support by charging corruption in the old regime, opposition movements ran the risk of being hoist on their own petard, particularly if they were fortunate enough to win the election and to go on to form a new government; henceforth, citizens would judge them by high standards.

Democratic transitions are distinguished from flawed transitions according to the integrity of elections. Were Africa's founding elections free and fair? As might be expected following a political thaw, they were certainly contentious. Incumbents and oppositions clashed over campaign and voting procedures, trading charges about whether electoral rules were even-handed and transparent. The same controversies tended to recur across African countries.[20] Opposition leaders claimed that voter registration lists were either outdated, disenfranchising large numbers of eligible citizens (especially younger people who were expected

[20] For a useful summation, see Edward R. McMahon, "Lessons Learned from African Elections" in Richard Joseph, ed., *The Democratic Challenge in Africa* (Atlanta: The Carter Center, May 1994), 141–6.

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to opt for change), or inflated, opening the way to double-voting. Administrative arrangements were also held to be biased, expressly where a government agency—like the ministry of the interior in the francophone countries—was assigned a lead role in organizing the elections. Campaigners struggled over access to communications media (notably radio and television), with incumbents exploiting government controls over news broadcasts to grant extensive favorable coverage to the ruling party. If at all, opposition parties obtained equal time on state-run media only in the closing weeks of campaigns. The final set of disputes concerned election-day procedures, especially guarantees for independent oversight of voting, ballot security, ballot counting, and the communication and announcement of election results.

The credibility of elections commonly hinged on whether party agents, nonpartisan domestic monitors, and international election observers were permitted to attend to all aspects of the balloting. African governments initially displayed extreme reluctance to accept these innovations but usually relented in the end, often under donor pressure. With few exceptions, Africa's founding elections were closely scrutinized. Across the continent, nonpartisan groups of African citizens (like professional and nongovernmental networks in West Africa and ecumenical church committees in East Africa) attempted to ensure that the elections were not stolen. The regular presence of international observers like the Commonwealth Observer Group and U.S.-based National Democratic and International Republican Institutes helped set international standards and disseminate information on the conduct of elections. Not only did independent oversight generate a more reliable set of elections data than had previously existed for Africa, but the judgments of observers and monitors were crucial in helping to extend or withold political legitimacy to elected governments.

Considering the immense logistical challenges of mounting elections with limited resources and poor communications, Africa's founding elections ran relatively smoothly. Not unexpectedly, incidents arose in which polling stations opened late, voting paraphernalia were in short supply, and irregularities occurred in the counting of votes. Any deliberate malfeasance, however, generally took place well before polling day, mainly through the intimidation of voters and the buying of votes during the election campaign. To be sure, incumbent leaders who indulged in these practices found it easy to mislead late-arriving international observers and to ignore amateurish domestic monitors. Indeed, unwitting outsiders were sometimes led—as in Ghana and Kenya—to endorse flawed elections prematurely and overgenerously. On the other hand, as in the Angolan elections of September 1992, where defeated opposition movements cried foul, their complaints were not always fully justified.

About half of the African electoral contests—fifteen out of the twenty-nine studied—appeared to accurately reflect the will of the voters. (See Table 2, column 3.) The list of countries with free and fair elections included a major regional power (South Africa), countries that had been ruled by both soldiers (Benin and Congo) and civilians (Zambia and Malawi), and countries emerging from

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long-standing civil wars (Angola and Mozambique). Interestingly, six of the fifteen countries were located in southern Africa, suggesting effects of geographical contiguity or shared institutional history. Overall, the volume of credible elections in Africa in the early 1990s was generally higher than for previous one-party elections.[21]

At the same time, however, a major fork in the tree of political transition concerned the integrity of elections. For every African country that enjoyed a free and fair contest there was a counterexample—fourteen out of twenty-nine cases—for which the conduct of the polls was questionable. Of these, eight elections were clearly problematic. In Burkina Faso in December 1991, for example, the incumbent's refusal to convene a national conference led five declared candidates for the presidency to boycott the election, leaving Blaise Campoaré, who had resigned his army commission to run as a civilian, to win virtually unopposed.[22] For the remaining six elections, it was unclear whether they had been free and fair. In these cases (Côte d'Ivoire, Comoros, São Tomé, Ghana, Central African Republic [CAR], and Guinea-Bissau) observers noted irregularities in campaign conduct and polling procedures but judged that they were not so serious as to change the overall election outcome. Thus, while electoral integrity improved in some countries, it remained a nagging problem in others. At minimum, the persistence of election tampering suggested that democratic rules for leadership succession were far from fully accepted throughout Africa.

What distinguished virtuous from corrupt elections? The effects of opposition cohesion remained consistent: of the fifteen countries with cohesive oppositions, only one experienced a problematic poll. In all other cases, relatively cohesive opposition movements provided an institutional counterweight to electoral manipulation. They helped to keep elections honest.

How, then, did elections turn out? The ouster of incumbents was more likely when elections were conducted by transitional governments that represented diverse political tendencies rather than extant governments in which sitting leaders and ruling parties remained in office and oversaw the election. The ouster of incumbents was also more likely when elections were conducted honestly. The successful completion of free and fair elections strongly predicted the defeat of sitting rulers.[23] Africa's authoritarian strongmen clearly could not survive truly democratic elections. As Samuel Huntington pithily puts it: "elections are not only the life of democracy; they are also the death of dictatorship."[24]

[21] See Fred M. Hayward, *Elections in Independent Africa* (Boulder, CO: Westview, 1987), 12; also Naomi Chazan, "African Voters at the Polls: A Re-Examination of the Role of Elections in African Politics," *Journal of Commonwealth and Comparative Politics* 17 (July 1979): 149.

[22] Augustin-Maris-Gervais Loada provides a summary of the election and its aftermath in "Burkina Faso: Les Rentes de la Légitimation Démocratique," in Patrick Quantin, ed., *L'Afrique Politique 1995: Le Meilleur, le Pire et l'Incertain* (Paris: Karthala, 1995).

[23] Phi = .719, sig. = .005.

[24] Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman: Oklahoma University Press, 1991), 174.

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Relatedly, flawed elections led to incumbent victories. Of the fifteen incumbents who retained office (see Table 2, column 4), twelve did so in elections that fell short of internationally acceptable standards. In all these cases the political survival of the strongman was not meaningfully challenged by observers funded by foreign donors. Incumbents apparently calculated correctly that the international community was more interested in political stability than in democracy and sometimes would turn a blind eye to fraudulent elections. These data also demonstrate that where electoral irregularities occurred, officeholders and their supporters were the main perpetrators. This is not to say that opposition leaders—who as outsiders to the state patronage system were supremely anxious to grasp a rare opportunity to gain political office—were above electoral shenanigans. But, compared with incumbents, challengers had fewer opportunities and resources at their disposal.

Given the overwhelming advantages of incumbency in personalistic dictatorships, it is remarkable that multiparty elections in Africa ever led to unexpected outcomes. Against the odds, sixteen African countries fulfilled the minimal requirements for a democratic transition between 1990 and 1994. (See Table 2, column 5, "Yes*".) As will be recalled from the definition with which this article began, a democratic transition requires that all participants accept election results. The disposition of the losers toward the outcome of founding elections is crucial to democratization: by acceding to the voters' verdict—an act that is harder for losers than winners—participants signal tentative consent to a new set of participatory and competitive rules. This normative consensus is contingent on the understanding that losers will not be permanently dispossessed from political power and will enjoy regular subsequent opportunities to contest and win elections.

For the purpose of this study, participants in founding elections, including the losers, signaled acceptance of democratic rules by taking up the legislative seats they had won. In some places, they did so willingly: in Malawi and Niger, for example, minority parties obtained sizeable blocs of seats and were poised to use parliament to influence governmental decision making. Elsewhere, acceptance was more grudging: in Mozambique and South Africa, for example, major opposition parties threatened electoral boycotts until just days before the poll, perhaps because they feared losing an open contest. But in the end, they had no choice but to accept a small share of legislative seats. In contrast to these democratic transitions, some free and fair elections were disrupted after the event when the losers rejected the results. The classic case was Angola, where Jonas Savimbi took his UNITA forces back to the bush and reignited an intensified civil war when it became apparent that his bid to be elected national president had fallen short.[25]

[25] See Christine Messiant, "Angola: Le Retour à la Guerre, ou l'Inavouable Faillite d'une Intervention Internationale" in Quantin, ed., *L'Afrique Politique 1994: Vue sur la Démocratisation a Marée Basse* (Paris: Karthala, 1994), 199–230.

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The likelihood that all parties would become stakeholders in a new democratic order was powerfully shaped by the quality of founding elections. Almost invariably, losing parties were more likely to accept official vote tallies when the elections had been certified as free and fair.[26] The installation of new governments went smoothly in Benin and Zambia, in large part because, to their credit, Kaunda and Matthieu Kérékou bowed to the verdict of fair elections, gracefully conceded defeat, and stepped aside. In these and other countries that completed a democratic transition, newly elected legislative assemblies opened on time, unhampered by opposition boycotts or by anything more than minor skirmishes over election results in a few districts.

By contrast, elections that were marred by incumbent interference were usually followed by a period of heightened political conflict. In the October 1992 presidential elections in Cameroon, for example, the leading opposition candidate, John Fru Ndi, claimed that he had been rigged out of victory; President Paul Biya responded by placing Fru Ndi and supporters under house arrest and declaring a state of emergency in the English-speaking northwest province. Throughout this period, the Social Democratic Front (SDF), Cameroon's leading opposition party, maintained a boycott of legislative assembly elections and continued to call for a national conference and fresh presidential polls. Even in Ghana and Kenya, where observers could not agree among themselves about the fairness of elections, opposition leaders initially engaged in legislative boycotts. Thus, where the campaign and voting processes were flawed, elections did not resolve the old regime's legitimacy crisis or create political stability.

A democratic transition does not necessarily require the ouster of a sitting head of government; it leaves open the possibility that an incumbent could be freely reelected. This eventuality came to pass in three African countries: in Guinea-Bissau, Mozambique, and Seychelles the incumbent was returned and the losers did not question the fairness of the election. Nevertheless, in Africa's personalistic regimes, the fate of the strongman was the central issue in founding elections, and pro-democracy forces were aligned solidly in favor of the ouster of incumbents. Not unexpectedly, therefore, the losers' willingness to accept election results was strongly influenced by the incumbent's fate. Where incumbents lost, the opposition almost invariably went along with official results; where incumbents won, the opposition usually challenged the authenticity of the elections.[27]

Interpreting Military Intervention

Voters were not the only political actors to determine the outcome of Africa's regime transitions. More powerful protagonists weighed in, especially during

[26] Of the seventeen elections that were ruled free and fair, the losers accepted the results in fourteen cases (phi = .699, sig. = .004).

[27] In eleven incumbent ousters, losers accepted the results in ten cases (phi = .752, sig. = .002).

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the middle to late stages of transitions when political conflicts escalated. Through their pervasive presence and repeated interventions in postcolonial African politics, military forces could be expected to play major roles.[28] Wherever soldiers held the reins of government, they were bound to figure centrally in any struggle to divide and distribute power.

Beyond the military as an institutional pillar of the old regime, however, the political actions of military officers in civilian regimes constituted an unpredictable wild card in the transition game. Whether military forces remained loyal to the incumbent or defected to the opposition had a decisive impact on the course of political events. This study examined whether military forces chose to step in during any stage of the contemporary round of African regime transitions. Military intervention referred to independent political actions by the military (or elements within it) acting as a corporate group beyond civilian control. The critical issue was the orientation of military forces: Did they intervene to push democratization forward or to hold it back?

Along with recording all instances where soldiers acted independently, intercessions were coded as pro- or antidemocratic. Thirteen instances of military action during transition were identified, seven of which were supportive of democratic initiatives and six of which sought to stem the democratic tide. The disposition of the military was variable; the military did not always adopt a fixed institutional position as guardian of the *ancien regime*. In some countries, the military or elements within it reacted negatively to gains by the political opposition and rose to the defense of the incumbent; in other places the military abandoned the strongman when he lost political legitimacy. In a pioneering effort to encapsulate this variation, Michael Chege notes that while in some countries, "the disorganized and poorly disciplined soldiery who pass for the national army have attempted to sabotage the transition to democracy," elsewhere "the army may have been at least a partial accessory to political reform."[29]

The connections between military intervention and transition trajectories were among the most striking revealed by this study. The disposition of the military was strongly associated at high levels of statistical significance with the extent of democratization by 1994.[30] Whether and how soldiers stepped in during regime

[28] For recent contributions see Robin Luckham, "The Military, Militarization and Democratization in Africa: A Survey of Literature and Issues," *African Studies Review* 37 (July 1994): 13–76; Jendayi Frazer, "Conceptualizing Civil-Military Relations during Democratic Transitions," *Africa Today* 42 (January-June 1995): 39–48; and J. Craig Jenkins and Augustine J. Kposowa, "The Political Origins of African Military Coups," *International Studies Quarterly* 36 (September 1992): 271–292.

[29] Michael Chege, "The Military in the Transition to Democracy in Africa: Some Preliminary Observations," *CODESRIA Bulletin* (Dakar, Council for the Development of Social Science Research in Africa) 3 (October 1995): 13.

[30] Spearman's r = .630, sig. = .000. The extent of democratization was measured as the change in a country's political rights score between 1988 and 1994 as reported in *The Comparative Survey of Freedom*. The observed relationship easily survived controls for all other variables—including the cohesion of opposition movements—that were related (in this case positively) to democratization.

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transitions largely determined whether such transitions ultimately culminated in democratic outcomes.[31] Notably, all seven pro-democratic military actions resulted in the installation of freely elected governments.

During some transitions, soldiers executed successful coups d'etat that resulted in military takeovers of government. The frequency of military coups in Africa was lower in the first half of the 1990s than in previous decades, though whether this development was the beginning of a trend or merely a trough is not yet clear.[32] And, to emphasize an earlier point, the valence of coups—for or against democratization—was variable.

Nigeria was the most important instance of a democratic transition ambushed by a military coup. When it became apparent that Chief Moshood Abiola, a Yoruba publishing magnate, had apparently won the climactic June 1993 presidential elections, the National Defense and Security Council declared the results invalid, citing widespread corruption and fraud. Still maintaining the fiction that he intended to surrender power, incumbent Ibrahim Babangida installed an interim national government headed by a civilian. This government was never accepted by the pro-democracy movement, which, under the banner of the Campaign for Democracy, persisted with demonstrations and work stoppages aimed at installing Abiola as president. In November, the secretary of defense, General Sani Abacha, effected a "de facto palace coup"[33] that displaced Babangida and led to the abolition of the full array of elected institutions painstakingly constructed at local, regional, and national levels, replacing them with military administrators. For all intents and purposes—and notwithstanding Abacha's appointment of a sham constitutional conference—Nigeria's democratic transition had been blocked by an indefinite extension of military rule.

By contrast, a military coup promoted democratization in Mali.[34] Soldiers stepped into the political arena in order to move the transition forward when the incumbent government appeared to have second thoughts about political reform. In March 1991, President Moussa Traoré's brutal crackdown on pro-democracy protesters alienated elements of the officer corps who balked at being used as tools to suppress their fellow citizens. Within days, a paratroop commander, Amadou Touré, announced a military takeover and arrested the president and his wife as they tried to escape to the airport. He installed a transitional government, under military leadership but containing opposition representatives, to oversee a return to political pluralism. Making good on these promises, the new

[31] Phi = .646, sig. = .006.

[32] William J. Foltz, "Democracy, Development and the Military: Some Lessons from Africa" (paper presented at the annual meeting of the African Studies Association, Toronto, 3-6 November 1994), 5.

[33] For a useful summary of this case see Peter M. Lewis, "The Politics of Democratic Failure in Nigeria," *MSU Working Papers on Political Reform in Africa, no. 8* (East Lansing: Michigan State University, Department of Political Science, 1994), 65.

[34] See Richard Vengroff and Moctar Kone, "Mali: Democracy and Political Change" in John Wiseman, ed., *Democracy and Political Change in Sub-Saharan Africa* (London: Routledge, 1995), 45–70.

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leader convened a national conference and a constitutional referendum, followed by municipal, legislative, and presidential elections. When an elected government took office in mid-1992, Lt.-Col. Touré retired from public life.

Military interventions during transitions did not always amount to full-blown coups and the displacement of sitting leaders and governments. Given strategic control of coercive resources, groups of officers could take less sweeping actions to signal political preferences and obtain political objectives. Take the cases of Zaire and Malawi: acting independently of civilian control, but never actually seizing state power, military elements intervened to alter the course of events, though in sharply contrasting directions.

In Zaire, the political mood of the military forces depended on whether they were being paid. In September 1991, soldiers mutinied to protest late wage disbursements, sparking several days of looting and violence that destroyed what little remained of the country's modern productive and trading sectors. The supression of the rebellion, which required intervention by French and Belgian paratroops, forced Mobutu to agree for the first time to share political power with the opposition. A second military mutiny broke out in January 1993, when merchants acting on the prime minister's orders refused to accept a new high-denomination banknote issued on the orders of the president. Mobutu was able to bolster his political position by drawing the relatively well paid presidential guard and civil guard around him. By mid-1994, "Mobutu's opponents in Kinshasa [were] too afraid of the military to march in protest down the main boulevard."[35]

The struggle for control of the military loyalties unfolded quite differently in Malawi. The ruling clique enforced its will through the police and the paramilitary Malawi Young Pioneers (MYP). Compared with these much feared units, the army never played an openly political or repressive role; on the contrary, key officers in the middle and junior ranks tacitly backed Malawi's growing opposition. In the face of increased physical intimidation of citizens who attended pro-democracy rallies or joined opposition parties, the army struck. In November 1993, troops disarmed the MYP, burned its headquarters, and declared loyalty to an all-party National Consultative Council. According to one commentator, by "making clear both the army's preference for democratic change and the ease with which it could block attempts to derail it, the military's action against the MYP played a critical role in ensuring the ultimate success of the political transition."[36]

Military intervention in Africa's divergent transitions displayed distinctive institutional features. When antidemocratic military strikes were examined alone, five out of the six cases were seen to occur in countries with a previous history of military coups and rule. Similarly, of the fourteen relevant cases within Africa where political transition was precluded or became blocked, twelve occurred where the military had featured prominently in the country's regime history. In short, an institutional legacy of military involvement in politics seemed to

[35] Cindy Shiner, "Mobutu Ascendant," *Africa Report* 39 (May-June 1994): 46.
[36] Daniel N. Posner, "Malawi's New Dawn," *Journal of Democracy* 6 (January 1995): 139–140.

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predispose security forces to intervene during transitions and for subsequent transition outcomes to fall short of democracy.

However, the development of military institutions in Africa has taken distinctive neopatrimonial forms. African armies rarely resembled an idealized bureaucracy, molded into an organizational force by professional training, nationalistic sentiments, and shared esprit de corps.[37] Instead, these institutions were riven by political factionalism based on the personal ambitions of would-be leaders among the officer corps and on ethnic solidarities within the ranks.[38] Because African armies "incorporate tensions characteristic of civilian elite society as a whole,"[39] their interventions in politics constantly reflected the ambitions of particular leaders and factions. Certainly none of the armies under review acted as a unified force. For example, the Nigerian army was splintered into "cabals within cliques"[40] in which only a minority of top officers sought to retain political power, with the majority of soldiers agitating for a return to regular duties. The military was exceptionally fragmented in Zaire: only the presidential and civil guards retained a semblance of discipline as they continued to follow sporadically the orders of their paymaster; the army, for its part, broke apart into armed bands and turned their guns on the citizenry in efforts to extort livelihood.

Most distinctively, the behavior of military actors, including forays into transition politics, was propelled by struggles over coveted offices, rents, and graft. The factions within the military who resisted transferring power to civilians usually perceived political change as leading to a loss of privilege. For example, under Babangida in Nigeria, the top brass elevated rent-seeking to such unprecedented heights that individual officers came to fear "investigation of what happened to several petro-millions that are thought to have gone absent without leave."[41] Wherever it occurred, the acquisition of great wealth by senior officers fueled "resentment from those junior officers who [were] not recipients of the largesse and those who [found] corruption unacceptable in the face of continuously falling living standards."[42] And, during the 1993 pillage in Zaire, even Mobutu's elite troops joined the scramble for spoils, "grabbing their share and then summarily executing hundreds of rank-and-file looters."[43] These examples illustrate that antidemocratic military interventions were usually driven by a defense of

[37] Eric A. Nordlinger, *Soldiers in Politics* (Englewood Cliffs, NJ: Prentice-Hall, 1977); and Samuel E. Finer, *Man on Horseback*, 2nd ed. (Boulder, CO: Westview Press, 1988).

[38] See Samuel Decalo, *Coups and Army Rule in Africa*, 2nd ed. (New Haven: Yale University Press, 1991).

[39] Foltz, "Democracy, Development and the Military," 5–6.

[40] International Forum for Democratic Studies, *Nigeria's Political Crisis: Which Way Forward* (Washington, DC: National Endowment for Democracy, February 1995), 11.

[41] *The Economist*, 19 June 1993. See also Peter Lewis, "From Prebendalism to Predation: The Political Economy of Decline in Nigeria," *Journal of Modern African Studies*, 34 (March 1997):79–103.

[42] *Africa Confidential* 32 (27 September 1991).

[43] Bill Berkeley, "Zaire: An African Horror Story," *The Atlantic Monthly*, August 1993, 28.

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existing material privilege by insiders to the patronage system, or by the quest for such advantage by elements of the soldiery who felt themselves left out.

The military was least likely to countenance threats to institutional privilege if the incumbent political leader was their own ethnic patron. It is no accident that the cases of antidemocratic military intervention all fit this pattern. As Crawford Young notes, "the very nature of personal autocracy led rulers to build armies according to an ethnic security map."[44] Take two other examples. In Rwanda, rogue units from Juvenal Habyarimana's presidential guard, joined by other Hutu from the army and youth militia, sparked anti-Tutsi carnage when it became evident that they would lose entitlements in an ethnically integrated army under a democratic regime. In Togo, the army—centered on Gnassingbe Eyadéma's small Kabré ethnic group and including an inner core of immediate relatives—essentially vetoed further political reform after a national conference designated an independent prime minister. As Young comments, "neutralizing imbalances [in military recruitment] constructed over [several] decades without triggering the army's intervention [is] an extraordinarily delicate task."[45]

Thus, military elements typically acting in defense of institutionalized privilege were decisive actors in regime transitions. Wherever the coercive apparatus remained intact and politically faithful to the incumbent ruler, repression of pro-democracy sentiment remained a real option. If the army split, and especially if senior officers sided with the opposition, then incumbents found difficulty in surviving poltically. In short, as went the military, so went the transition. This finding has major implications for democratic prospects in Africa. While civilian protesters momentarily succeeded in setting the agenda for political change, military forces retained a permanent and decisive role in African politics during later phases of transition. As of the mid-1990s, the fate of democracy on the sub-Saharan continent continued to rest in the hands of men with guns.

A Political Watershed?

Did the period of regime transition in the early 1990s mark a watershed in African politics? Because of the divergent paths taken by Africa's political regimes, this question unavoidably has a complex and conditional answer. A broad range of authoritarian, democratic, or mixed regimes was installed or restored in different African countries. A democratic electoral transition was most likely where selected institutional conditions were fulfilled: that is, where opposition political movements were cohesive rather than divided and/or where the military intervened in support of, rather than against, pro-democracy forces. Importantly, however, the political regimes that emerged following transitions manifested elements of both change and continuity. The challenge for analysts is to distinguish

[44] Crawford Young, "Democratization in Africa" in Jennifer Widner, ed., *Economic Change and Political Liberalization in Africa* (Baltimore: Johns Hopkins University Press, 1994), 241.

[45] Ibid.

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the breakthroughs in African politics in the 1990s from that which remains very much the same.

Political change certainly occurred. For the first time in the postcolonial era, the trend toward the centralization of political power at the apex of the state was halted and partially reversed. In almost all African countries, autocratic leaders were forced to acknowledge that they could no longer command the political process and that they would have to divide and redistribute at least some of the excessive powers they had accumulated. Several major, general innovations occurred in African politics during the period of transition in the early 1990s as compared with the earlier postcolonial era.

The first was increased political competition; African citizens came to enjoy a measure of choice in who would govern them. To the extent that elections were held in Africa before 1990, these were largely noncompetitive affairs in which by foregone conclusion a dominant ruling party won all available elective seats. In the five years from 1985 to 1989 prior to the onset of the current wave of regime transitions, multiparty competitive elections that led opposition parties to gain a foothold in parliaments were held in just nine sub-Saharan African countries. In at least four of these cases—Liberia, Madagascar, South Africa, and Sudan—competitive elections were not only irregular, but seriously compromised by electoral malpractice, a restrictive franchise, or repeated military interference.

This record changed markedly after 1990. In the five years that followed, the number of African countries holding competitive legislative elections more than quadrupled to thirty-eight. Opposition parties won legislative seats in thirty-five of these elections, and the average share of legislative seats held by opposition parties rose from a paltry 10 percent in 1989 to a somewhat more robust 31 percent by 1994. On these grounds alone, there is much to recommend John Wiseman's depiction of founding elections as "an important and non-ephemeral alteration in the way a significant number of African states are, and will be, governed."[46]

A second innovation was leadership turnover. The postcolonial era in Africa saw the consolidation of personal rule, by which incumbent heads of state concentrated power in their own hands and constructed procedural defences against being voted out of office. Political succession occurred relatively infrequently, and then only when the military staged a coup or an ailing civilian strongman installed a hand-picked successor. Before 1990, more than nine out of ten incoming national leaders were appointed to their posts by military or party elites.[47]

[46] John A. Wiseman, "Early Post-Redemocratization Elections in Africa," *Electoral Studies* 11 (October 1992): 279.

[47] Rodger Govea and John Holm, "A Report from a New Data Set on African Succession" (paper presented at the annual meeting of the African Studies Association, Seattle, November 1992). For earlier analyses, see Victor T. Levine. "The Politics of Presidential Succession," *Africa Report* 28 (May-June 1983): 22-26; and Arnold Hughes and Roy May, "The Politics of Succession in Black Africa," *Third World Quarterly* 10 (January 1988): 1-22.

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The small minority who won office through election invariably did so as candidates of a dominant political party that already held power. On only one occasion before 1990 was a sitting chief executive displaced by means of election: in Mauritius in 1982.[48]

The March 1991 election in Benin marked the first instance on mainland Africa that a national political leader was peacefully supplanted as a consequence of the expressed will of the people. Unexpectedly, at least ten more such democratic leadership transitions occurred in sub-Saharan Africa in the five short years between 1990 and 1994. In three additional cases, the incumbent did not run in the election, but a new leadership was elected anyway. Compared with previous patterns of political succession in Africa, the electoral turnover of fourteen presidents was a novelty.

Africa's period of transition was marked not only by greater electoral competition and the ouster of incumbents, but by meaningful changes in key rules of the political game. The modality of political regimes on the sub-Saharan subcontinent was altered during this period. At the turn of the decade, the predominant types of regime in Africa were military oligarchies, civilian one-party states, or hybrids of the two. The most common institutional formation was a plebiscitary system in which a personalistic leader, who had come to power by a military coup, had constructed a single ruling party, periodically ratifying its limited political legitimacy through ritualistic, noncompetitive elections. In 1989, twenty-nine African countries were governed under some kind of single-party constitution, and one-party rule seemed entrenched as the modal form of governance; a further eleven African countries were ruled directly by the military without the pretence of political party institutions.

By 1994, a transformation had taken place: not a single de jure one-party state remained in Africa. In its place, governments adopted new constitutional rules that formally guaranteed basic political liberties, placed limits on tenure and power of chief political executives, and allowed multiple parties to exist and compete in elections. To all appearances, the African one-party state was not only politically bankrupt but extinct, at least as a legal entity.

At the same time, it should be emphasized that in many other respects the Africa of 1994 was not markedly different from the Africa of a decade before. The enduring institutional characteristics – both formal and informal – of the continent's politics continued to condition the outcome of democratic experiments. In other words, each of the changes just noted was offset by significant continuities.

Let us begin with elections. Have competitive elections been institutionalized? By 1995, five years after the onset of regime transitions, Africa's fragile new democracies entered a phase of second elections that will help to determine whether competitive politics are here to stay. As of mid-1996, there were indications that elected leaders intend to adhere to constitutionally-mandated electoral

[48] See Larry W. Bowman, *Mauritius: Democracy and Development in the Indian Ocean* (London: Dartmouth, 1991), 208.

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cycles, with legislative or presidential elections having been held on time in Namibia, Niger, Benin, Côte d'Ivoire, Gabon, and São Tomé and Príncipe. Of course, this record does not rule out the possibility that incumbent rulers might choose in the future to postpone or cancel scheduled elections. More likely, however, rulers will maintain the formal trappings of regular polls but seek increasingly to control election procedures, campaigns, and outcomes. In Côte d'Ivoire and Zambia, for example, newly-elected leaders have excluded their main rivals by revising constitutional rules about eligibility for contesting the presidency. And absent financial support and close scrutiny by the international community, second elections already seem to be less well administered and more subject to tampering than founding elections. The opposition boycott of the October 1995 presidential election in Côte d'Ivoire over incomplete voter registration lists is indicative in this regard.[49]

Importantly, some new African democracies have not survived long enough to cross a second electoral threshold. Since 1995, elected governments have been overthrown by military coups in Burundi, Gambia, and Niger, events which together signaled the beginning of a reverse wave of authoritarian restorations. However, incoming military rulers found it necessary to assure domestic and international constituencies that they intend to remain only temporarily, just long enough to organize fresh elections. Additionally, the governments of other new African democracies in Lesotho, CAR, and Comoros have had to call on outside assistance to put down military mutinies; in the case of Lesotho, assistance from democratic South Africa was critical in preventing a regime reversal. All else being equal, regimes whose military forces remained neutral or supported the pro-democracy cause during transition probably have the best chances of consolidating democracy. By contrast, the numerous African democracies that inherited an institutional legacy of military takeovers—like Benin, CAR, Congo, Madagascar, Mali, and Seychelles—must be considered at greatest continued risk.

The alternation of top political leaders during transitions in some countries does not erase the fact that some long-standing African incumbents managed to survive competitive elections. Notably, in open presidential contests between 1990 and 1994, just as many incumbents (fifteen) were reelected as were replaced (fourteen). Incumbent leaders soon learned from the electoral defeats of colleagues elsewhere in Africa that participatory politics constituted a threat to be controlled. Moreover, even where the faces of top leaders changed, the new rulers were often drawn from the same social and political classes as before, including from an aging generation of old-guard politicians who had previously served the postcolonial regime. The election of recycled leaders engendered doubts about whether they would govern any differently from those they replaced.

Samuel Huntington has proposed a "two turnover test" which clarifies how leadership alternation contributes to the consolidation of democracy.[50] By this

[49] National Democratic Institute, "International Delegation Observes Legislative Elections in Côte d'Ivoire," *NDI Reports* (Washington DC), Winter 1996, 15–16.

[50] Huntington, *The Third Wave*, 266–7.

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standard, a consolidated democracy requires two posttransition elections in which incumbents are voted out and surrender office peacefully to victorious opponents. When all participants in the political process accept that new governments can only be installed by open electoral procedures, then the rules of the democratic game can be said to have taken root. What are the prospects for democratic turnovers occurring in posttransition African elections? Of the six second elections conducted by mid-1996, only one resulted in leadership alternation: the March 1996 poll in Benin, which punished a newly elected leader for perceived corruption and brought back the country's old dictator. A more common outcome was illustrated by the December 1994 elections in Namibia, where the incumbent leader was returned with an increased supermajority in parliament. Indeed, ruling parties tend to enjoy electoral and legislative dominance in African democracies, old and new. And this outcome is particularly likely where cohesive opposition movements were elected to power in a democratic transition. Just because one-party rule was legally defunct does not rule out the probability that, de facto, dominant parties will reemerge or that powerful leaders will again entrench themselves.

Finally, in other respects, the institutional landscape of the plebiscitary one-party state remained largely intact. While cabinet government is now more common than before (for example in Zambia), decision making remains concentrated in the hands of powerful presidents and inner circles of confidants. While legislatures and judiciaries have sometimes acted independently (notably in Congo and South Africa respectively), these institutions generally remain weak in relation to the executive branch. The state's ability to respond to citizens' needs, either by ensuring law and order throughout the territory or by providing basic services to low-income populations, remains seriously deficient in many countries. Similarly, even though nonstate institutions were reinvigorated by regime transitions, serious doubts soon emerged whether opposition parties, a free press, and voluntary associations would prove strong enough to enforce the accountability and transparency needed for democratic governance.[51] This was far from guaranteed in most countries, making it difficult to resist the view that the consolidation of democratic institutions in the region would be difficult and exceptional.

[51] On the importance of strong and loyal opposition parties to the consolidation of democracy, see Robert H. Dix, "Democratization and Institutionalization of Latin American Political Parties," *Comparative Political Studies* 24 (January 1992): 488–511; and Stephanie Lawson, "Conceptual Issues in the Comparative Study of Regime Change and Democratization," *Comparative Politics* 25 (January 1993): 183–205.

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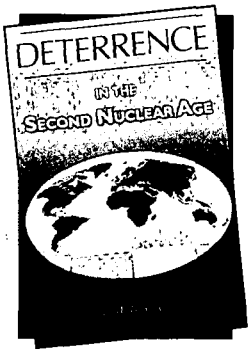

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Transitional Electoral Systems in Post-Communist Eastern Europe

JOHN T. ISHIYAMA

Transitional elections are crucial moments for newly democratizing countries. Although they mark only a beginning point in an often arduous journey, their outcomes crucially affect the future course of democratic transition and consolidation.[1] Indeed, whoever wins the transitional election often has the opportunity to rewrite the rules of the game to his or her advantage and significantly influence future political developments.

As many scholars have noted, the electoral system affects the outcome of any election, advantaging some, while disadvantaging others.[2] The kind of system employed can also serve to promote or detract from the viability and legitimacy of a new regime. It can prevent the excessive fragmentation of the party system and hence contribute to the emergence of stable government; it can also provide representation for significant groups in society and help contribute to the legitimacy of the regime.[3] It follows that the rules governing transitional elections crucially affect the course of democratic consolidation.

[1] David M. Olson, "Compartmentalized Competition: The Managed Transitional Election System in Poland," *Journal of Politics* 55 (May 1993): 415; Nancy Bermeo, "Redemocratization and Transition Elections: A Comparison of Spain and Portugal," *Comparative Politics* 19 (January 1987): 213–231; see also Phillipe C. Schmitter, "The Consolidation of Democracy and Representation of Social Groups," *American Behavioral Scientist* 35 (March–June 1992): 422–449.

[2] Douglas Rae, *The Political Consequences of Electoral Laws* (New Haven: Yale University Press, 1967); Arend Lijphart, "The Political Consequences of Electoral Laws, 1945–1985," *American Political Science Review* 84 (June 1990): 481–496.

[3] Enid Lakeman, "The Case of Proportional Representation" in Arend Lijphart and Bernard Grofman, *Choosing an Electoral System: Issues and Alternatives* (New York: Praeger, 1984), 41–51; Maurice Duverger, "What is the Best Electoral System?" in ibid., 35.

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Recently, transitional electoral laws in Eastern Europe have captured the attention of several scholars.[4] Yet the focus thus far has been on the potential consequences of these electoral laws, rather than on the question of why they were adopted in the first place. By and large, these studies have focused on single cases, which although of great academic value runs the risk of what Giovanni Sartori refers to as "the distorted or inadequate comparative perspective resulting from a single-country yardstick."[5] The existence of a wide variety of different transitional systems adopted in Eastern Europe—ranging from list proportional representation (PR) in Czechoslovakia, first-past-the-post (FPTP) systems in Latvia and Lithuania, mixed systems in Hungary and Bulgaria, a nonlist PR in Estonia, and a compartmentalized FPTP system of limited competition in Poland—presents a tantalizing opportunity to observe these heretofore historical processes and to evaluate and refine previously established theory in light of new evidence. This article represents an initial attempt to address an earlier challenge for future research put forth by electoral systems scholars who noted the need for the analysis of electoral systems as a product of politics rather than merely as a factor affecting politics.[6]

This article argues that whether or not substantial changes in the transitional electoral system occurred (as compared to either the historical or communist electoral systems) depended on the degree to which the Communist party and opposition leaderships had begun to think of their organizations as primarily seat-maximizing political parties (that is, parties that seek to win seats in parliament) rather than as mass movements by the time the transitional electoral law was created. In turn, whether or not an electorally minded leadership emerged depended upon the dynamics of the transition process itself.

To illustrate this argument, I will first clarify the dependent variable—the electoral system—distinguishing it from other aspects of the political system. Second, I will briefly compare the Eastern European transitional electoral systems with the historical systems of the interwar and communist periods, noting in particular how some were different and how some were similar when compared with those of the past. Third, I will illustrate three different types of explanations, derived from the existing literature on Latin American and Iberian transitions, about why transitional electoral systems differ from previous historical or authoritarian ones. In the final section, these explanations will be synthesized to identify three different patterns of electoral systems choice in Eastern Europe. Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, and Poland have been selected as targets of this interpretive approach because of the variety of electoral systems adopted and the different transition processes which occurred in each case. How-

[4] Gordon Wightman, "Czechoslovakia," *Electoral Studies* 9 (June 1990): 319–326; Olson, "Compartmentalized Competition."

[5] Giovanni Sartori, *International Encyclopedia of the Social Sciences* (New York: Macmillan/Free Press, 1968), vol. 13, 89.

[6] Rae, *The Political Consequences*, 146; see also Stein Rokkan, *Citizens, Elections, Parties: Approaches to the Comparative Study of the Process of Development* (Oslo: Universitetsforlaget, 1970).

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ever the methodology adopted here does not seek to specifically test hypotheses via the comparative method, but to make use of existing approaches with an aim at identifying patterns, and throwing light on the cases of Eastern European transitional electoral systems choice.

Components of the Electoral System

In the literature on democratic transition and democratic consolidation, the term "electoral system" has been used widely but with little care. It has been employed to describe a wide range of rules and procedures, including the ease of voter access, suffrage and registration requirements, and the ease of party/candidate access to the political process.[7] For the sake of the conceptual clarity, as well as to specify the focus of this article, it is necessary to specify what is meant here by the "electoral system."

All elections involve a principle of representation, a structure of offices, the rules governing the scope of participation, and an electoral system. The principle of representation refers to a normative principle that holds that either only the majority will should be represented in the organs of government, or that all political forces in proportion to their numerical strength should be represented.[8] The structure of offices refers to which (and how many) offices are open to direct electoral competition, such as seats in a unicameral versus a bicameral legislature, or a single versus collective executive. The scope of participation refers to rules that specify who can participate in the election as voters (such as citizenship laws, residency requirements, literacy tests, grandfather clauses, etc.) or candidates (laws on political parties, nomination procedures, registration requirements for independent candidates). These are extremely important issues that are the subject of intense negotiation during a democratic transition. Often debates over these issues overshadow the more mundane details of electoral systems, but they are beyond the scope of this article.

This article focuses on the electoral system, specifically those rules governing the elections to the primary or lower house in the legislature. Attention to rules governing national legislative elections to the lower house is reasonable, because these offices in competitive democracies are pivotal. No matter how important the executive, the execution of policy and the legitimacy of executive power rest ultimately with the elected legislative representatives of the people.[9]

The electoral system is defined as the form through which the principle of representation is expressed. Hence it "authoritatively prescribes the manner in which political preferences of a community are to be expressed and ordered."[10]

[7] Peter C. Fishburn, "Dimensions of Election Procedures: Analyses and Comparisons," *Theory and Decision* 15 (June 1983): 371–397.

[8] Dieter Nohlen, "Changes and Choices in Electoral Systems" in Lijphart and Grofman, eds., *Choosing an Electoral System: Issues and Alternatives*, 217–224.

[9] Joseph A. Schlesinger, "On the Theory of Party Organization," *Journal of Politics* 46 (May 1984): 369–400.

[10] David P. Quintal, "The Theory of Electoral Systems," *Western Political Quarterly* 73 (December 1970): 752.

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In political democracies, it refers to the methods employed to govern how citizens vote and how these votes are translated to fill offices. The most often cited components of the electoral system are: the district magnitude or the number of seats assigned to an electoral district, the ballot structure, the allocation rule, or what Douglas Rae has referred to as the "electoral formula."[11]

Arend Lijphart has added two additional dimensions to this basic scheme: provisions for supplementary or compensation mandates, and electoral thresholds. Provisions for compensation seats are often employed to correct for deviations from proportionality caused by small district magnitudes.[12] Usually this is achieved by reserving seats in a national (or in a few large regions) and then allocating them to underrepresented parties. However, when there are large district magnitudes or when there are many supplementary seats, there is the danger of creating an overly proportional system. To prevent this, many systems incorporate minimum electoral thresholds for representation in order to make it too easy for small parties to gain seats.

Historical Memory and Choice

One factor often cited as exerting a primary effect on electoral systems choice is historical precedent. For example, in the West European cases where fascism rose to power (or where democratic government was temporarily abolished), the electoral system that had existed previously was readopted. On the other hand, in countries like Spain and Portugal, the new regimes abandoned their traditional electoral systems (plurality with limited votes), which had been associated with the old authoritarian regime and introduced systems of list-PR. Thus, any analysis of the evolution of an electoral system must begin by making reference to "different national contexts, and by realizing that options for change are usually limited by the existing principle of representation and its historically strong perseverance."[13]

But what was the historical context in Eastern Europe? More specifically, what systemic precedents could be drawn upon? Two diametrically opposite traditions existed: the communist electoral tradition (single-member districts with a majority formula and a technically categorical ballot), and the memory of the elections, mostly PR systems, before the arrival of communism.

The empirical record is reflective of these twin traditions. Thus, in the interwar period (see Table 1), all of the surveyed historical systems were variations

[11] For a fuller explication of the variety of electoral formulas, see Rae, *The Political Consequences*; see also Rein Taagepera and Matthew S. Shugart, *Seats and Votes: The Effects and Determinants of Electoral Systems* (New Haven: Yale University Press, 1989), 11–14. A similar discussion is also offered by David Butler, "Electoral Systems" in David Butler, Howard Penniman, and Austin Ranney, eds., *Democracy at the Polls* (Washington, DC: American Enterprise Institute, 1981).

[12] Arend Lijphart, *Democracies: Patterns of Majoritarian and Consensus Government in Twenty-one Countries* (New Haven: Yale University Press, 1984).

[13] Nohlen, "Changes and Choices in Electoral Systems," 217.

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of list PR systems. Unlike the transitional electoral systems in Eastern Europe from 1989–1991, none of the interwar systems attempted to combine elements of both majority/plurality and proportional representation. However, there was some variation in terms of the specific features of the interwar electoral systems. For instance, in the last Bulgarian (1931) competitive election a straight list PR system, largely modeled after the German Weimar Republic, was employed. The number of seats and the size of the legislature depended upon the number of voters. In Czechoslovakia (1935), Estonia (1932), Latvia (1931), and Poland (1922) the size of the lower house of the legislature was fixed, although the average district magnitude in Czechoslovakia was considerably higher (twenty-five) than either the middle-sized magnitudes of the Baltic states and Poland. Further, although all the interwar systems employed a d'Hondt allocation rule, the Polish elections to the *Sejm* or legislature featured an additional advantage for larger parties. Seventy-two of the 444 seats were reserved for parties that had put up lists in more than six of the sixty-four constituencies, and these seats were added to the total of those parties in proportion (using the d'Hondt formula) to the number of seats a party won among the constituency lists.

The transitional electoral systems adopted during 1989–1990 in these countries, in some cases significantly departed from both the interwar and communist systems. In other cases they did not. Table 2 illustrates the features of the transitional electoral systems that governed the first elections in Bulgaria (1990), Czechoslovakia (1990), Estonia (1990), Latvia (1990), Poland (1989), and Hungary (1990). In terms of the system type, the Latvian elections to the Supreme Soviet in 1990 and the Polish limited election of 1989 were characterized by adherence to the communist practice of single-member constituencies with a majority formula.[14] On the other hand, a list-PR system, which was modeled after the system used during the period of the Czechoslovak First Republic, was used to govern the 1990 Czechoslovak election. In the Bulgarian, Estonian, and Hungarian cases mixed systems were created. Systems combining majority seats with PR were employed in Hungary (1990) and Bulgaria (1990). In Estonia, the nonlist single transferable vote (STV) modeled after the systems used in Ireland and Malta was employed, a system unprecedented in Estonian history.

Explanations For Electoral Systems Choice

In general, three different kinds of explanations exist in the literature on transitional electoral systems choice. The first emphasizes the role of self-interested,

[14] In the case of Poland, some electoral engineering did take place, especially in adding a new upper house (the Senate), for the elections of 1989. (The pre-Pilsudski parliament also had a Senate.) Although making a few of the seats in the *Sejm* open for competition, the electoral system itself remained based upon the communist model.

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TABLE 1

Characteristics of the Last Competitive Interwar Eastern European Electoral Systems

Country	*Year of last free election*	*System Type*	*Number of Seats in Legislature*	*Number of Constituencies*	*Average District Magnitude*	*Magnitude Range*	*Allocation Formula*	*Supplementary Seats?*	*Voter Choice?*
Bulgaria	1931	List PR	273 (depended on voter turnout)	—	273	—	d'Hondt	No	No
Czechoslovakia	1935	List PR	300	12	25	depended on turnout	d'Hondt	No	No
Estonia	1932	List PR	100	11	9.9	5–20	d'Hondt	No	No
Latvia	1932	List PR	100	5	20	NA*	d'Hondt	No	No
Poland	1922	List PR	444	64	5.8	3–10	d'Hondt**	No	No

* Unfortunately the data on the magnitude range for Latvia are currently unavailable.

** Seventy-two seats reserved for parties that had nominated candidates in at least six constituencies.

Sources: J. Korbel, *Twentieth Century Czechoslovakia* (New York: Columbia University Press, 1977); A. Polonsky, *Politics in Independent Poland: 1921–1939* (Oxford, England: Clarendon Press, 1972); V. M. Dean, B. W. Diffie, M. W. Graham, and M. S. Wertheimer, *New Governments in Europe: The Trend Towards Dictatorship* (New York: Thomas Nelson and Sons, 1934); Malbone W. Graham, *New Governments of Eastern Europe* (New York: Henry Holt, 1924); C. Cook and J. Paxton, *European Political Facts 1918–1990* (New York: Facts on File, 1992).

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TABLE 2

Characteristics of the Transitional Eastern European Electoral Systems

Country	Year of Election	System Type	Number of Seats in Legislature	Number of Constituencies	Average District Magnitude	Magnitude Range	Allocation Formula	Supplementary Seats?	Voter Choice?
Bulgaria	1990	Mixed							
(majority seats)			200	200	1	—	majority	No	—
(list seats)			200	28	7.14	3–26	d'Hondt with 4% threshold	No	No
Czechoslovakia	1990	List PR	150	12	12.5	depended on voter turnout	Hare quota/largest re-remainders with 5% threshold	No	Yes
Estonia	1990	Nonlist PR (STV)	101*	46	2.3	1–5	Droop Quota	No	Yes
Hungary	1990	Mixed						Yes	No
(majority seats)			176	176	1	—	majority		
(regional list)			152	20	7.6	2–28	Hare quota/largest remainders		
(national compensation seats)			58	1	58	—	Droop quota		
Latvia	1990	Single Member Majority	201	201	1	—	Majority two ballots	No	—
Lithuania	1990	Single member/ majority (45)	141	141	1		majority		—
Poland	1989	Limited Majority**	460	460	1	—	Majority two ballots	No	—
Romania	1990	List PR	387	41	9.4	—	Quota no threshold		

* Excludes four seats reserved for military seats.

** 161 of the 460 seats were open to competition, while the remaining 299 seats were reserved for the communist coalition comprised of the PUWP, the United Peasants Party, and the Democratic Party.

Sources: C. S. Siddall, P. Wilder, and P. Schramm, *Republic of Estonia: An Assessment of the Election of the Riigikogu and the Presidency, September 16–24, 1992* (Washington, DC: International Foundation for Electoral Systems, 1992; *Elections in the Baltic States and the Soviet Republics* (Washington, DC: Commission on Security and Cooperation in Europe, December 1990); R. N. Bond, C. C. McInturff, and P. W. Schramm, *The Movement Toward Democratization in Hungary: An Assessment of the Government of Hungary's Electoral System* (Washington, DC: International Foundation for Electoral Systems, 1989); Sophia Todorova, *Who's Who in Elections 91: Leaders, Parties, Coalitions, Unions* (Sophia, Bulgaria: Information Service Company, 1991); Louise Vinton, "Poland's New Election Law: Fewer Parties, Same Impasse?" *RFE/RL Research Report* 2, no. 28 (9 July 1993): 7-17; Dzintra Bungs, "The Shifting Political Landscape in Latvia," *RFE/RL Research Report* 2, no. 12 (19 March 1993a): 28–34; Bungs, "Twenty-Three Groups Vie for Seats in the Latvian Parliament," *RFE/RL Research Report* 2, no. 23 (4 June 1993b): 44–49; Bungs, "Moderates Win Parliamentary Elections in Latvia," *RFE/RL Research Report* 2, no. 28 (9 July 1993c): 1–6.

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seat-maximizing parties. The electoral system is seen as the result of a series of compromises reached among these political parties. The second approach focuses on roles played by actors other than political parties, whose goals are often different from and at odds with vote and seat-maximizing political parties. The third, takes as its point of departure the analysis of the dynamics of the transition process itself and notes how different types of transitions determined which actors were most pivotal in effecting electoral systems choices.

Party Compromise

A long-standing argument in the West has been that electoral systems were largely the creation of self-interested political parties.[15] Thus, many scholars have noted that the switch to proportional representation on the European continent was associated with the rise of the labor parties and the restructuring of the traditional party systems.[16] Stein Rokkan argued that the adoption of the principle of proportional representation in Western Europe was in the interest of both established parties and rising socialist parties.[17] Others have noted a similar relationship between two-party systems and the maintenance of single-member districts.[18] In sum, the parties had the "decisive influence on electoral legislation" and rationally opted "for the systems of aggregation most likely to consolidate their position. . . ."[19] In the more recent cases of democratic transition, such as in Spain, this theme has been reiterated. The Spanish electoral law ultimately adopted in 1977 represented a compromise among "competing concerns and conflicting partisan demands."[20]

The argument that the electoral system is a product of party politics is informed by three assumptions: the party is the primary actor in electoral systems choice; each party is a unitary actor; all parties are motivated by a single primary goal—to win elections and to maximize the number of legislative seats they win. For some scholars these assumptions are at the heart of their analysis. David Quintal, in particular, goes so far as to argue that it is possible to systematically predict

[15] Seymour M. Lipset and Stein Rokkan, *Party Systems and Voter Alignments* (New York: Free Press, 1967), 30. A self-interested party here refers to groups whose primary purpose is to gain representation, if not win, an election. The usage of the term "party" here is based upon the electoral image of the party. See Leon Epstein, *Political Parties in Western Democracies* (New York: Praeger, 1967); Anthony Downs, *An Economic Theory of Democracy* (New York: Harper and Row, 1957), 25; Kenneth Janda, *Political Parties: A Cross-National Survey* (New York: Free Press, 1980), 5.

[16] J. G. Grumm, "Theories of Electoral Systems," *Midwest Journal of Political Science* 2 (November 1958): 357–76; Enid Lakeman and J. D. Lambert, *Voting in Democracies: A Study of Majority and Proportional Representation Systems* (London: Faber and Faber, 1974).

[17] Rokkan, *Citizens, Elections, Parties*, 157.

[18] Leo Lipson "The Two-party System in British Politics," *American Political Science Review* 47 (June 1953): 337–358; Downs, *Economic Theory of Democracy*, 124.

[19] Lipset and Rokkan, "Cleavage Structures, Party Systems and Voter Alignments," 30.

[20] Richard Gunther, Giancomo Sani, and Goldie Shabad, *Spain after Franco: The Making of a Competitive Party System* (Berkeley: University of California Press, 1986), 44.

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the electoral system adopted by referring to the rational calculations and expectations of party leaders about the components of the electoral system that benefit them.[21] Although he does acknowledge that "precise calculations" cannot be expected given the absence of perfect information on voter preferences or complete knowledge of the intricacies of electoral rules, "nevertheless, the sanctions associated with the result encourage party leaders to give careful attention to all contingencies."[22]

From this perspective, in countries undergoing democratic transition, the kind of electoral system adopted depends on the party leaderships' expectation about where their electoral strength lies. Generally, parties expecting a plurality or a near-plurality of the popular vote (heretofore referred to as large parties) will tend to favor electoral laws that magnify that into an even larger plurality of seats in the legislature. This would include provisions for smaller district magnitudes, and in PR systems, electoral formulae that tend to reward larger parties (such as d'Hondt rather than a Hare quota formula),[23] provisions for bonus seats, higher electoral thresholds, and perhaps categoric rather than ordinal ballots.[24] Smaller parties with geographically dispersed bases of support, on the other hand, will tend toward laws that promote greater proportionality in representation. Regional parties will be particularly concerned with the manner in which the boundaries of electoral districts are drawn. Moreover, they may also support smaller magnitudes to maximize their chances for success in a particular region, depending upon how dispersed their support is within that region.

The Predominance of Nonparty Actors

Many students of Latin American transitions have argued that in democratizing or redemocratizing countries there are essentially no real parties to negotiate an electoral law. This is especially true where countries have experienced a long period of authoritarian rule and where the parties emerge "more or less *de novo* . . . with few perceptible links to the pre-revolutionary or pre-dictatorial past."[25] As a result, the parties are usually extremely weak, not well organized, with only limited membership and scarce funds, and to some extent represent "rather artificial creations."[26]

[21] Quintal, "The Theory of Electoral Systems," 753–754.

[22] Ibid., 754.

[23] Among the variety of mathematical formulas, Lijphart, in modifying Rae's categories, demonstrated quite persuasively that the most disproportional formula is the very often used d'Hondt system, whereas the least are the largest-remainders/Hare system and the Pure St. Lague system. Lijphart, "The Political Consequences of Electoral Laws," 484–485.

[24] Rae, *The Political Consequences*, 127; Lijphart, "The Political Consequences of Electoral Laws," 492.

[25] Robert R. Dix, "Cleavage Structures and Party Systems in Latin America," *Comparative Politics* 22 (October 1988): 25.

[26] Howard J. Wiarda, *The Transition to Democracy in Spain and Portugal* (Washington, DC: American Enterprise Institute for Public Policy Research, 1989), 233.

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An alternative explanation for the emergence of different types of transitional electoral systems is one that emphasizes the role of nonparty actors, such as the king in Spain, the bureaucracy, the military, and the semi-opposition.[27] Although this approach does not contend that parties play no role, they are clearly secondary to other actors. Essentially, it holds that because of the weakness of the political parties, entrenched political forces such as the military, the bureaucracy, and the semi-opposition fill the political vacuum and create democracy via the grand pact.

From this perspective, the transitional electoral system produced is not a product of party politics, but rather a reflection of the long-term interests of other political actors who select the rules to maximize their goals, which are often fundamentally different from those of the vote and seat-maximizing parties. Although they are generally favorably disposed to or are forced to favor the liberalization or even the democratization of the system, these nonparty actors are often concerned with broader issues related to the political system, such as power sharing for the opposition or political stability for the governing coalition. If they do pay attention to the electoral system, it is viewed as a means to achieve political broader goals rather than to maximize their share of the legislative seats. The transitional electoral system, therefore, is not produced via the interaction of the seat-maximizing parties, but rather reflects the long-term political concerns of nonparty actors who dominate the transition process.[28]

Howard Wiarda, in his treatment of the Portuguese democratic transition, highlighted the role played by nonparty actors when he noted that the Armed Forces Movement (MFA) dominated the rulemaking process and that the leaders of the MFA were largely motivated by the notion that they "had a better grasp of the public's wishes [that it] intuitively knew and even personified the 'general will.'"[29] Bolivar Lamounier also underlined the rulemaking role played by the government and the semi-opposition in the case of the Brazilian transition, where these actors, as part of the overall direction of the Brazilian *reforma*, essentially manipulated the electoral and representative mechanisms to maintain their control over the *abetura* (or opening of the system).[30] Clearly, from this perspective, the political parties are at best secondary actors in the choice of the transitional electoral system.

The Effects of Different Transition Processes

How do the cases of Eastern Europe fit the above explanations? The evidence seems to support both approaches. In at least the case of Hungary, the parties

[27] See, for example, Schmitter, "The Consolidation of Democracy."

[28] Guillermo O'Donnell, Phillipe Schmitter, and Laurence Whitehead, eds., *Transitions from Authoritarian Rule: Prospects for Democracy*, part iv (Baltimore: Johns Hopkins University Press, 1986), 62.

[29] Wiarda, *The Transition to Democracy in Spain and Portugal*, 232.

[30] Bolivar Lamounier, "Authoritarian Brazil Revisited: The Impact of the Elections on the Abertura" in Alfred Stepan, ed., *Democratizing Brazil* (New York: Oxford University Press, 1989), 55–65.

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did take the lead in negotiating the complexities of the electoral system, and their relative positions on the electoral law depended upon their own calculations of their electoral strength. In other cases, such as Poland and Latvia, although there were very difficult negotiations over the political system, the mundane details of the electoral system seemed to escape the roundtable negotiators. In Poland, although there was considerable haggling over the constitutional order, the electoral law remained essentially the same as that used under the communists. In Czechoslovakia, the communist system was entirely rejected; and the electoral system employed was essentially modeled after that which had existed prior to communist rule.

A third possible explanation, which can be used to link the party-based and pacted democracy perspectives, is the dynamic approach to democratization, a term coined by Dankwart Rustow.[31] Essentially this approach holds that there are different kinds of transition processes, and these differences affect who are the primary actors who predominate during the transition period.[32] Samuel Huntington extended this relationship when he argued that the dynamics of different transitions also affects who predominates within the governing and opposition parties. Ultimately, the success of a democratic transition depends heavily on who is in control in either camp. In general, within the governing party the struggle for control involves "standpatters," "liberal reformers," and "democratic reformers."[33] These groups are, for Huntington, defined in terms of their basic attitudes toward democracy. The standpatters pay lip service to reform, but essentially wish to retain the system as it is, without major revision. Liberal reformers support a substantial restructuring of the party, but often frame democratization in terms of intraparty liberalization, rather than fundamentally transforming the party into one prepared for electoral competition. Democratic reformers favor the complete overhaul of the party, often with the goal of transforming it into a modern left-wing type, a euphemism for a social democratic party. The key to success for a democratic transition depends on the ability of the liberal and democratic reformers in the government coalition to fend off the antidemocratic standpatters within the Communist party.[34] Similarly, it requires the triumph of political moderates within the opposition camp over the radicals. In sum, the key condition is the degree to which electorally-minded politicians intent on

[31] Dankwart A. Rustow, "Transitions to Democracy: Toward a Dynamic Model," *Comparative Politics* 2 (January 1970): 329–341.

[32] See, for example, Donald Share and Scott Mainwaring, "Transitions Through Transaction: Democratization in Brazil and Spain" in Wayne A. Selcher, ed., *Political Liberalization in Brazil: Dynamics, Dilemmas and Future Prospects* (Boulder, CO: Westview Press, 1986); Juan J. Linz and Alfred Stepan, eds., *The Breakdown of Democratic Regimes* (Baltimore: Johns Hopkins University Press, 1978).

[33] Samuel P. Huntington, "How Countries Democratize," *Political Science Quarterly* 106 (Winter 1991–1992): 588–589.

[34] Ibid., 589.

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competing in and winning elections have come to dominate in both the government and opposition coalitions.

At this point the approaches offered above begin to converge into a set of theoretical propositions. If election-minded democratic reformers come to predominate in both the communist-led government coalition and opposition camps, then the particular features of an electoral system become important. Hence one should observe substantial deviations from preceding electoral systems. If democratic reformers do not come to dominate the communist coalition, there will be little in the way of deviations from previous electoral systems, although there may be substantial alterations in the political system as the result of the grand pact. Moreover, if democratic reformers do not emerge to control the communist coalition, it is very unlikely that an electorally minded leadership will emerge within the ranks of the opposition. Indeed, the internal evolution of the opposition camp is vitally related to the actions of the communist coalition.[35]

Three Patterns of Transitional Electoral Systems Choice

Pattern 1: Political Parties

The first pattern is best represented by the case of Hungary. On 6 September 1989, a roundtable agreement was concluded that established the basis for the electoral rule in 1990. This agreement was a product of intense debate and a balancing of the parties' respective understandings of their electoral strengths. The HDF (The Hungarian Democratic Forum), the principal opposition party, preferred the single-member system, because according to public opinion polls at the time, HDF enjoyed by far the most popular support. Moreover, among the opposition parties, HDF was far better organized at the local level. The Alliance of Free Democrats, a somewhat more liberal opposition party, whose strength lay primarily in the urban areas of the country, envisioned that its support was far too distributed among the regional constituencies; hence its leadership supported list proportional representation. Other parties, particularly the so-called nostalgia parties (since they had existed before the communist seizure of power in 1948) were vaguely confident of broad nationwide support. However, they also favored list proportional representation, because they were unsure whether their supporters were concentrated enough to enable them to win in the single-member districts. Leaders of the HSWP (the Hungarian Communists later the Hungarian Socialist Party—HSP) thought they would do well in individual districts and knew that their national apparatus would allow them to profit from a proportional system. As a result and crucial to the conclusion of the roundtable discussion, the HSWP accepted the mixed system that was ultimately produced.[36]

[35] For this point, see John T. Ishiyama, "Founding Elections and the Development of Transitional Parties: The Cases of Estonia and Latvia, 1990–1992," *Communist and Post-Communist Studies* 26 (September 1993): 277–299.

[36] For an account of the debate over the electoral law, see *Colloquium on Hungarian Electoral Law* (Washington, DC: National Republican Institute for International Affairs, 1990).

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A key factor in this process was the emergence of a democratic reformist leadership in the HSWP prior to the onset of the roundtable negotiations over the electoral system. In turn, this was in part due to the framework provided by Janos Kadar, general secretary of the Hungarian Communist party, which had been spacious enough for incipient political expression and the bounds of which rapidly expanded after his downfall in 1988. Indeed, following Kadar's ouster even liberal politicians in the Hungarian Communist party, such as First Secretary Karolyi Grosz in 1988, spoke openly in favor of some limited form of political competition.[37] Democratic political reformers such as Imre Poszgay, Rezso Nyers, and Miklos Nemeth, who openly favored multiparty competition and were committed to transforming the HSP into an electorally competitive party, gained increasing influence throughout 1989. By June, they were strong enough to stage an organizational coup, isolating Grosz and the liberals and establishing themselves as the center of power.[38]

The Hungarian opposition also became dominated by politicians who sought to create organizations designed to win expected competitive elections. Thus, these leaders did not believe it necessary to coalesce under one banner, as was the case with Solidarity in Poland, Civic Forum in the Czech Republic, and Public Against Violence in Slovakia. On certain occasions, Hungarian democrats coordinated their activities, but the noncommunist political parties were fairly well defined when they entered negotiations on the political transition in 1989.[39]

In Estonia, a somewhat similar process occurred. Discussions over the electoral law were held in the Estonian Supreme Soviet in November 1989.[40] The electoral system itself resulted from an uneasy compromise. The Joint Council of Work Collectives (OSTK), whose electoral strength was based in the areas of the republic where non-Estonians predominated, favored the retention of the standard Soviet one-seat districts. Although part of the reason for this was due to habit and a desire to maintain continuity with the Soviet system, there was also a measure of self-interest, since single seat districts, although generally penalizing minorities, increased the probability of victory in the areas where ethnic Russians constituted a majority of the electorate.[41] The Popular Front of Estonia (PFE), an umbrella coalition of opposition groups, proposed simple quota and largest remainders as the electoral formula, with about three seats per district. This implied the use of party or group lists, which leadership of the Communist

[37] Interview in "Hungary Said to be Model for Gorbachev," *New York Times*, 10 July 1988.

[38] Poszgay had attended the founding of the Hungarian Democratic Forum on 27 September 1987 in Lakitelek. J. F. Brown, *Surge to Freedom: The End of Communist Rule in Eastern Europe* (Durham, NC: Duke University Press, 1991), 108–114.

[39] Thomas O. Melia, "Hungary" in Garber and Bjornlund, eds., *The New Democratic Frontier*, 39–64.

[40] See Rein Taagepera, "The Baltic States," *Electoral Studies* 9 (June 1990): 303–311. The radicals, grouped in the Estonian National Independence party, who were in favor of immediate political independence, declined to participate, claiming that the actions taken by the Supreme Soviet were illegal.

[41] Moscow News, 8–15 April 1990, 11.

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Party of Estonia (CPE) refused to accept, because they knew they would do better individually than under the despised CPE label. They proposed the single nontransferable vote (SNTV) system modeled after Japan, in which individual candidates stand for election, not political parties, but the multiple mandate district is retained. The PFE electoral rules specialist, Peet Kask, strongly objected, because the SNTV could randomly distort the relationship between seats and votes; and the risks were especially high in a new democracy where the relative strengths of various groupings were unknown at the time. As a compromise, Kask then proposed the STV, which was effectively a nonlist proportional representation system.[42]

Although the principal players in the Estonian transition were not political parties per se, there had been considerable movement since 1988 within both the Estonian Communist party and the Popular Front in the direction of the emergence of an openly vocal leadership committed to transforming both organizations into electorally competitive parties.[43] Thus, for example, Marju Lauristin, deputy chairperson of the Supreme Council of Estonia and a leader of the Estonian Popular Front, illustrated this sentiment in early 1990 when she argued that political parties would play the central role in the new atmosphere of Estonian democracy, "and we need political forms to express this atmosphere. We must not wait for the masses to take to the streets."[44] This sentiment was echoed in statements made by CPE Ideology Secretary Mikk Titma, when he argued that "the time of amorphous public organizations . . . has passed. They have oriented Estonian political development towards democracy, but they cannot solve specific economic and political tasks. Only parties defending their programs are able to do this."[45]

A similar process was also exhibited in Bulgaria, although the time was generally much shorter than in either Hungary or Estonia. In November 1989, liberal reformers led by Foreign Minister Peter Mladenov in the Bulgarian Communist party (BCP) staged a palace coup and removed the party's long-time leader, Todor Zhivkov. Subsequent internal party reforms paved the way for the ascendence of a new coalition of liberals, such as Andrei Lukanov, and democratic reformists, such as Alexander Lilov and Stefan Prodev, to the party leadership.[46] The BCP's 14th Congress in February 1990 affirmed these personnel

[42] However, the district magnitude, which was a crucial factor in determining the proportionality of STV, was left up to local county and city authorities to decide, with the choices ranging from one to five.

[43] Ishiyama, "Founding Elections and the Development of Transitional Parties," 284–289.

[44] *Profil*, 22 January 1990, 50 in *Foreign Broadcast Information Service—Soviet Union* (hereafter referred to as FBIS-SOV), 24 January 1990, 53.

[45] Moscow TASS, 3 February 1990 in FBIS-SOV, 5 February 1990.

[46] Alexander Lilov, who had earlier been the heir apparent to Todor Zhivkov, was purged in 1983. He had published a controversial book in 1986 that defended the importance of intellectual liberty. Interestingly he did not once mention the name of Todor Zhivkov in the text. After the fall of Zhivkov, he became a regular advocate transforming the party into one modeled after the Social Democratic Parties of the West—in short an electoral party. Lilov ascended to the BSP party chairmanship in 1991.

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changes, and Lukanov became prime minister. In March 1990 the party changed its name to the Bulgarian Socialist party (BSP).

In December 1989, the various opposition groups formed the Union of Democratic Forces (UDF) to negotiate with the communist government. The roundtable negotiations, which included the BCP, the UDF, and the Bulgarian Agrarian National Union (BANU), a party which had existed as the legal opposition to the communists, began on 3 January 1990. The agreement reached as a result of these roundtable negotiations reflected compromises made by both the BSP and the UDF. The UDF in general insisted on the inclusion of proportional representation, given that such a system would pit parties against one another, and the election would then become a referendum on communist rule.[47] The BSP favored maintaining single-member districts, where the party would benefit from its superior organizational resources, particularly in rural districts.[48]

The result of these negotiations was the creation of a mixed system in which half of the seats (200) in the new Grand National Assembly would be elected from single-member constituencies and half from regional lists. Although the system resembled that employed in Germany and Hungary, the Bulgarian system differed from the German in that the majority single-member districts were completely independent of the proportional representation allocation.[49] Indeed, the system represented a very simple compromise between the BSP and UDF, and the result was a mixed system.

Pattern 2: Nonparty Actors

The second pattern included cases that also held roundtable negotiations, but the principal participants were far less concerned with electoral goals than they were with the general contours of the political system. These cases tended to resemble the grand pact democracies of Latin America and Portugal, and the transitional electoral system remained essentially the same as that which had existed during the communist era. This was largely due to the leadership composition of the government and opposition coalitions at the roundtable negotiations. The countries which correspond to this pattern are Poland, Lithuania, and Latvia.

In Poland in 1989, the roundtable negotiations focused not on the features of the electoral system, but on wider issues related to the structure of the political system. Indeed, although the roundtable discussions included other participants (such as the pro-government United Peasants' party and the Democratic party) the principal protagonists at the negotiations were the Polish United Workers' party (PUWP) and Solidarity, with the Catholic Church standing as the guarantor of the agreement. The primary goals of Solidarity were to gain legalization for

[47] John D. Bell, R. A. Gould, and R. G. Smolka, *The Bulgarian Elections: A Pre-election Assessment, May 1990* (Washington, DC: International Foundation for Electoral Systems, 1990), 15–19.

[48] Larry Garber, "Bulgaria" in Garber and Bjornlund, eds., *New Democratic Frontier*, 140.

[49] Bell et al., *The 1990 Bulgarian Elections*, 28.

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the union, political recognition, and free elections; the government side wanted to maintain its authority, while at the same time introduce limited liberalization. Neither side paid much attention to the particular features of the electoral system. Part of the reason for this was that "neither the ruling party nor Solidarity was willing to act as competitive political parties at that early stage in the transition."[50]

In this sense the Polish roundtable resembled the "elite accommodation negotiations of earlier pacted democracies.[51] Indeed, great pains were taken by both sides, but particularly by Solidarity, to paint the agreement signed on 6 April 1989 as a grand nonpartisan arrangement rather than as a victory for one side over the other. Lech Walesa declared, following the conclusion of the roundtable talks, that "nobody was defeated by anybody at the roundtable because nobody wanted to defeat anybody, all tried to save Poland."[52]

Similar patterns occurred in Lithuania and Latvia. In particular this was exhibited by the debate over the electoral system in Latvia in November 1989. As in Poland, there was considerable debate on the political system. However, very little discussion involved the electoral law that would govern both the December local elections and the March 1990 Supreme Soviet elections. Even the debate over the political system was primarily oriented around how best to adjust the Soviet system without introducing a wholesale overhaul of it. The debate revolved around the Latvian Communist party's (CPL) proposal to retain the institution of the Congress of Peoples Deputies (essentially a congress of electors employed in the all-Union elections of 1989). On the other hand, the Popular Front of Latvia (PFL) proposed direct elections to the Supreme Soviet. The latter proposal was adopted by the republic Supreme Soviet on 10 November 1989. At the same session a debate over the proposal for a directly elected presidency also occurred. However, this motion was defeated on the grounds that the extensive functions envisaged for the president would threaten to restrict the Supreme Soviet's activities and could lead to a "new authoritarianism."[53] As to the district magnitude, ballot structures, electoral formulas, and other features of electoral systems, there was little evidence to indicate that these issues were even considered.

The principal factor leading to extending the existing electoral system was the composition of the government and opposition coalitions in Poland and Latvia. The PUWP was wholly demoralized and desperate to cling to power. The party itself was unprepared for electoral competition, a fact revealed by its subsequent lackluster campaign in 1989. Moreover, the element of the PUWP that might have reversed this, the reformists, had simply given up on the party. The revealing

[50] Olson, "Compartmentalized Competition," 120.

[51] Ibid., 418.

[52] Warsaw Domestic Service, 6 April 1989, *Foreign Broadcast Information Service—Eastern Europe* (hereafter referred to as FBIS-EEU), 7 April 1989.

[53] For an account of the 10 November session of the Latvian Supreme Soviet session, see Moscow *Pravda*, 11 November 1989, 3.

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political memoir of Mieczyslaw Rakowski, the last governing communist prime minister and the last first secretary of the PUWP, summarized this attitude. In an entry dated in mid-May 1989, Rakowski argued that the main reason why the communists did not prepare a campaign was because "forty-five years of exercising power without opposition have made the PUWP lazy." Further, there was a general "lack of faith in the future and actually in socialism."[54] Such a demoralized party leadership could hardly be concerned with the minutiae of electoral laws.

In the Latvian Communist party, the lack of attention paid to the particulars of the electoral system was not due to the disillusionment of the democratic reformers, as had been the case in Poland, but more to fact that they had been unable to gain power in the CPL in the first place. The accession of Jan Vagris, a prominent moderate reformer, in September 1989 had not led to the displacement of the standpatter element within the republican party organization, as had been the case in Estonia.[55] Moreover, at the time the electoral law was being negotiated, the party was faced with a major internal crisis which threatened to divide it. Indeed, unlike in the CPL, the democratic reformist element of the party was relatively weak and isolated, so much so that following the elections of 1990 they were purged and the party apparatus seized by the standpatters grouped around Alfreds Rubiks.[56] Given the internal conflicts that wracked the party, it was not surprising that the leadership of the Latvian Communist party was not overly attentive to the details of the electoral system.

The opposition in both countries also did not seem overly concerned with the details of the electoral law. The leadership of Solidarity was far more concerned with the movement's legalization and power sharing than it was with party politics. Moreover they (and particularly Walesa) did not conceive of Solidarity as a party. Rather, the leaders of the union preferred to stand above politics and romantically depicted their political struggle as a clash between right and wrong, good and evil.[57] From the perspective of the organization's leadership, "solidarity did not need to say much. . . . Simply put, Solidarity represented an instinctive and comprehensive rejection of the rule of lies."[58]

The principal opposition in Latvia, led by the Popular Front, was also not very concerned with the specific features of the electoral system. The Front itself

[54] Quoted in Mara Latynski, "Poland" in Garber and Bjornlund, eds., *The New Democratic Frontier*, 99–100.

[55] See Juris Driefelds, "Latvian National Rebirth," *Problems of Communism* 38 (July–August 1989): 77–95.

[56] For an account of these events, see Ishiyama, "Founding Elections and the Development of Transitional Parties."

[57] Timothy Garton-Ash, "Eastern Europe, apres le deluge, nous," *New York Review of Books*, 13–16 August 1990, 52–53; Ewa M. Thompson, "The Challenge of Democratic and Nationalist Movements to the Communist Regimes in Hungary, Poland and Czechoslovakia" in Uri Ra'anan, ed., *The Soviet Empire; The Challenge of National and Democratic Movements* (Lexington, MA: Lexington Books, 1990), 199.

[58] Latynski, "Poland," 102–103.

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was, by the time of the roundtable talks, becoming increasingly fractured by internal conflict, particularly over the issues of the timing of the republic's independence and whether the PFL should engage in negotiations with the communists at all. Despite an outward show of political unity at the Second Congress of the PFL (October 1989), the meeting was marked by an increase in internal conflict. On the one hand, there were the moderates who pressed for continued dialogue with the Latvian Community party and with Moscow. They rallied around the leadership of Dainis Ivans, chairman of the movement since its inception in 1988. On the other hand, there were the radicals associated with the editorial board of the PFL's bulletin *Atmoda*; they pressed for the acceleration of the move toward real political independence and closer association with radical nationalists associated with the Latvian National Independence Movement (LNIM).[59] As a result, the Latvian opposition was also too preoccupied with other issues to be concerned with the features of the electoral system.

Pattern 3: Authoritarian Collapse

The third pattern is represented by the cases of authoritarian collapse, particularly in Romania and Czechoslovakia, where the electoral systems were adopted within the context of the existing regime's collapse. Thus, rather than amend the existing communist system, the opposition left in control of the political playing field selected an electoral system modeled after that which had existed in the pre-communist past, but modified to meet broader political goals rather than to suit the opposition's own partisan ends.

By and large, Czechoslovakia had trailed the Soviet Union and much of the rest of Eastern Europe in liberalizing the political system. As late as 6 September 1989, the government spokesman and member of the Central Committee Miroslav Pavel held that, "no dramatic changes in the situation in Czechoslovakia can be expected."[60] Indeed, Czechoslovakia trailed Poland and Hungary to such an extent that it was largely referred to in the West as the bulwark of conservative communism. As one observer in 1989 noted: "There is no desperate crisis making reform imperative at once, nor are there pressures from below. . . . There seems little prospect that Czechoslovakia will emerge from the thrall imposed on it by the East in 1948, and again in 1968, or that anything resembling the Prague Spring will occur in the near future."[61]

Although there had been some tentative moves toward political reform, by and large the Czechoslovak communist regime remained the only communist party state in the region to be firmly committed to the political course of the past. As late as 12 November 1989, Communist Party of Czechoslovakia (CPCS)

[59] *Kraznaya Zvezda*, 14 October 1989, 12 in FBIS-SOV, 18 October 1989, 78.

[60] Reported in the *New York Times*, 6 September 1989.

[61] H. Gordon Skilling, "Czechoslovakia Between East and West" in William Griffith, ed., *Central and Eastern Europe: The Opening Curtain?* (Boulder, CO: Westview Press, 1989), 260–261.

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General Secretary Milo Jakes proclaimed that the party would never relinquish its "leading role" or tolerate any form of organized opposition.[62] Thus, unlike other cases in Eastern Europe, there was little in the way of the development of a liberal camp within the party, let alone a leadership willing to accept the idea that the party would have to compete in elections.

The transition, when it did occur, was not negotiated at all, but was the result of the collapse of the communist regime in the face of overwhelming domestic and international pressures. To be sure, during the first half of 1990 the Communist party took part in the roundtable negotiations on political reform and took part in the rump legislature. However, the course and direction of events were largely determined by its political opponents and especially the two mass movements formed by dissident groups in November 1989: the Czech Civic Forum and the Slovak Public Against Violence (PAV).

At one of these meetings, on 11 January the decision was taken to hold elections. Consideration had been given to a number of electoral systems, but the relative proximity of the elections led to the selection of one familiar at least to experts and members of the older generation: the party list system of proportional representation.[63] A 5 percent threshold was instituted as well as a preferential voting mechanism to allow the voter some limited choice in party lists.[64] However, key features of the interwar electoral system, such as relatively large district magnitudes and the electoral formula, were reinstated.

Thus, Czechoslovakia, following the collapse of communist rule essentially returned to the practices of the interwar republic. Much of this was due to the fact that there was no Communist party to negotiate the electoral law. The complete rejection of the communist electoral system was relatively easy, because no one advocated it. The principal opposition, represented by the Civic Forum and PAV, was little concerned with maximizing its own representation. It was far more concerned with avoiding the fragmentation of the party system, which had occurred during the First Republic, and the rule of the party machines. The leaders of both Civic Forum and PAV saw themselves as standing above party politics and saw the mass movement rather than the political party as the best organizational vehicle to avoid what they viewed as the destabilizing partisan political conflict of the interwar period. This attitude was held by most of the prominent former dissidents, including Vaclav Havel, and was reflected in statements made by Peter Kucera, former dissident and a member of the Civic Forum executive coordinating committee. In an interview with Communist party newspaper, *Rude Pravo*, he argued that true political parties were not appropriate for Czechoslova-

[62] Milos Jakes, Address to the National Conference of the Socialist Youth Union reported in *Rude Pravo*, 13 November 1989, 1.

[63] Wightman, "Czechoslovakia," 319.

[64] The framers of the electoral systems were assisted by a National Democratic Institute Team invited by Havel, which included electoral experts from Great Britain, Hungary, Portugal, and the United States.

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kia's level of democratic development, and this was best illustrated by failure of the political parties in the past. For Kucera the "people" prefer "the form of a freely structured movement, and the Civic Forum leadership is now under pressure to preserve this form. . . . The Civic Forum is truly irreplaceable."[65]

Ironically, the Civic Forum, and to a lesser extent PAV, were the principal victims of the electoral system they had created. Although the system worked fairly well, (especially the 5 percent threshold that had acted as a formidable barrier to small parties in the 1990 elections) the prospect of gaining electoral representation proved to be a strong incentive for the parties making up Civic Forum and PAV to strike out on their own, especially as the common enemy, the communists, slipped into political impotence. In February, the Christian Democratic Union, which had originally been a charter member of the Civic Forum, officially left the movement in order to run in tandem with the Christian Democratic Movement of Slovakia. In March, Vaclav Benda's Social Democratic party left the Civic Forum alliance. Perhaps most noteworthy, however, was the departure of the Civic Democratic Initiative shortly after the June elections (at which point it was renamed the Liberal Democratic party). In justifying the break, the party's leader Emmanuel Mandler argued that one of the principal reasons for the break was that, as the June elections approached, the Civic Forum behaved increasingly like other political parties and consequently, "had to perceive us and the other political parties within the forum as a rival." Moreover, if they wanted to continue to operate within the Civic Forum, the Liberal Democrats would have to "suppress" their own political identity because "you cannot have several parties within one party."[66]

Conclusions

This article has demonstrated that differences in transitional electoral systems in Eastern Europe from 1989–1990 were largely a result of different transition processes, which affected who was in power in the government and opposition camps when the roundtable negotiations on the electoral law began.

Although the scope of this work was limited to only the cases of Eastern Europe as to the politics involved in the choice of a transitional electoral system, several factors can be identified that contributed most to this process. First, whether or not party-based or nonparty-based explanations apply to Eastern Europe (and potentially to the republics of the former USSR) depends on whether the principal political actors negotiating the transitional electoral system conceive

[65] At the same time, Kucera, in commenting on the structure of Civic Forum, held that "in this new form . . . the rejection of any kind of party attitude remains the key factor. We are not going to have [registered] members, a strict vertical structure, or a subordination of the lower elements to the higher ones. It is exactly the opposite with political parties—all these attributes are characteristic for them." *Rude Pravo*, 18 July 1990, 1–2 in FBIS-EEU, 25 July 1990, 16.

[66] Quoted in an interview with Petr Novacek, corresponding for *Zemedelske Noviny*, 14 July 1990, 3, in FBIS-EEU, 19 July 1990, 17.

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of their organizations as political parties. The Hungarian, and to a lesser extent Estonian and Bulgarian political actors, had reached this point. In other cases, such as in Poland and Latvia as well as Czechoslovakia, neither the Communist parties nor the opposition had come to be dominated by leaders who held an electoral conception of their organizations. In Poland, the government camp was largely dominated by liberal reformers who sought to liberalize the system without relinquishing power in competitive elections. In Latvia, the liberal and democratic reformists were quite weak in comparison to the standpat element within the party. In either case, the communist leadership was either unwilling or unable to grasp the importance of altering the electoral system. The oppositions as well (including Czechoslovakia) were also dominated by political romantics rather than professional politicians, who saw their movements not as competitive political parties, but as a morally superior form of mass organization that could act for the best of all. They, too, either ignored the electoral system or sought to engineer it to benefit all rather than to serve partisan interests.

Finally, a potentially fruitful line of inquiry for future research is the role played by the reformed Communist parties and the democratic opposition in the selection of electoral systems during the process of democratic consolidation. Indeed, the general trend in the above cases since 1990 has been in the direction of reverting to proportional representation. Bulgaria and Poland shifted to a list PR system in the elections of 1991, Latvia in 1993, and Estonia in 1992. Only Hungary maintained the mixed system that was established to govern the first election in 1990. If these parties played a crucial role in effecting the transitional electoral system in the first place, then the question becomes: did their progeny benefit or suffer from their actions? Are the systems that governed the second elections a result of lessons learned by the political parties from the first elections? Although the investigation of the second elections are beyond the current scope of this inquiry, the consolidation of party-based politics in Hungary, Estonia, and the Czech Republic seem to attest to benefits these systems had for the political parties.

E. E. Schattschneider once claimed that "political parties created democracy and that modern democracy is unthinkable save in terms of the parties."[67] Although perhaps an extreme claim, Schattschneider highlighted the key role played by initial political actors in effecting democratic political competition. One way in which this is accomplished is via the transitional electoral rules. Although these rules are often viewed as unimportant details, the actions taken by political actors to effect change undoubtedly had and will continue to have consequences far outweighing the importance they initially attached to them.*

[67] E. E. Schattschneider, *Party Government* (Westport CT: Greenwood, 1942, [reprint 1977]), 1.

* The author would like to thank Marijke Breuning for thoughtful comments and invaluable assistance in preparing this article.

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Full Faith and Credit for Same-Sex Marriages?

KEN I. KERSCH

On 5 May 1993, the Hawaii Supreme Court handed down a now well-known decision in *Baehr v. Lewin*, a case involving same-sex marriages.[1] In *Baehr*, the court held by a three-to-one margin that the state's marriage statute, which restricts the status (and benefits) of marriage to male-female couples, discriminates on the basis of sex. Under the terms of the Hawaii state constitution's equal protection clause, such discrimination is permissible only if it serves a compelling state interest.[2] The court reversed a lower-court decision that had employed a lower level of scrutiny, a rational-basis test to uphold the restrictions on same-sex marriages. It then remanded the case to a lower court for retrial under a strict-scrutiny standard. On 3 December of last year, the lower court held the state's ban on same-sex marriages unconstitutional.[3] Barring an amendment to the state's constitution, all that stands in the way of same-sex marriages in Hawaii is a final appeal to the state's highest court. Given its past votes on the issue and its increasingly liberal composition, the court is unlikely to hold that the state has a compelling interest in banning such marriages.

[1] *Baehr v. Lewin*, 852 P.2d 44 (HI, 1993). The case has since been renamed *Baehr v. Miike*.

[2] HI Const., Art. I, Sec. 5, provides that "[n]o person shall . . . be denied the equal protection of the laws, nor be denied the enjoyment of the person's civil rights or be discriminated against in the exercise thereof because of race, religion, sex, or ancestry."

[3] *Baehr v. Miike*, Dkt. No. 91–1394.

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Because the decision on Hawaii's ban will be based on an interpretation of the state's constitution, the United States Supreme Court cannot review it. Both federal and state governmental institutions outside Hawaii, however, will be forced to deal with the implications of same-sex marriages sanctioned by Hawaii and other vanguard states. They will have to decide how, consistent with constitutional requirements, to treat same-sex marriages solemnized in the vanguard states.

In late 1996, spurred by events in Hawaii as well as by election year politics, Congress passed the Defense of Marriage Act (DOMA) staking out its position and asserting its presumed constitutional authority over these questions. The act stated that no state is obligated to recognize same-sex marriages solemnized in other states and that for the first time the federal government would not accept state determinations of who was married for federal purposes such as immigration, Social Security, tax, Medicare, family leave, and determination of pensions for federal workers.[4]

In acting as rapidly as it did to an ongoing court case, Congress jumped out ahead of journalistic and scholarly opinion. Press accounts published soon after the *Baehr* decision asserted that any marriage solemnized in one state would inevitably be recognized in others. The *New York Times*, for example, reported that "No state currently allows such [same-sex] marriages performed in another state. That means that gay couples married in Hawaii would have to be recognized as married couples in other states, thereby entitling the couples to the tax breaks, health benefits, and survivor benefits that accrue to married partners."[5] William Rubenstein of the American Civil Liberties Union's Lesbian and Gay Civil Rights Project noted that gay marriages would go national because, generally speaking, a couple married in one state is considered married in all.[6] Conservatives hostile to same-sex marriages and sensing a hot election issue readily agreed. For the most part the law reviews reached conclusions similar to those of the newspapers in articles that were one part dissection of current legal rules and one part advocacy brief on behalf of the cross recognition of same-sex marriages.

While the instant analysis by legal scholars of the applicability of statutory and common-law conflicts jurisprudence to the cross-recognition issue was useful, it had a strange air of unreality, given that we live in an era characterized by a strident states-rights rhetoric. Not long before the passage of DOMA, one author even suggested that the best way out of the cross-recognition conundrum was for Congress to compel cross recognition of same-sex marriages to "lend more predictability to the structuring of family life and create more security for the members of these families."[7]

[4] Defense of Marriage Act, 110 Stat. 2419 (1996).

[5] Jeffrey Schmalz, "In Hawaii, Step Toward Legalized Gay Marriage" *New York Times*, 7 May 1993, A14.

[6] Ibid.

[7] Henson, "Will Same-Sex Marriages be Recognized?" in "Sister States: Full Faith and Credit and Due Process Limitations on States' Choice of Law Regarding the Status and Incidents of Homosexual Marriages Following Hawaii's *Baehr v. Lewin*," *University Louisville Journal of Family Law* 32 (Summer 1994): 551, 591.

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However improbable this proposal, at least the author recognized that Congress could play a role in the cross-recognition controversy. Until events on Capitol Hill forced their hand, many scholars viewed the issue simply as a question of legal doctrine to be resolved by the courts. Few took the same-sex marriage controversy seriously as a problem of federalism with implications for the recent national debate over the respective spheres of the national and state governments.[8] This article puts federalism concerns at the heart of its analysis and advances a position on the proper constitutional role for both Congress and the courts in dealing with the cross-recognition controversy in the coming years.

The American Federation and Marriage

The question whether states and the federal government must recognize marriages solemnized by another state revives long-standing debates about the nature of the American federal union. These debates were prominent during the earliest years of the republic with the Anti-Federalists and later the Jeffersonians and many southerners asserting that the Union was best understood as a federation of sovereign states that delegated limited powers to the national government and retained as a significant residual the traditional powers of sovereignty. From this perspective the relationships between the American states were akin to those of sovereign nations. Thinkers like Alexander Hamilton, John Marshall, and Joseph Story, on the other hand, adhered to a Federalist vision that emphasized the Union's unitary nature. While not denying a measure of state sovereignty, these Federalists and their followers were more concerned with limiting than with expanding that sovereignty. As such, they understood the American constitutional system as a departure from a quasi-internationalist pact among the states.

The nature of the Union has been debated in various political contexts, most tellingly, perhaps, in the debate over the adoption of the Constitution. Those who preferred the status quo under the Articles of Confederation were inclined to see the Union as a voluntary compact amongst sovereign states. This view was also vigorously asserted by the Jeffersonians in the Virginia and Kentucky Resolutions (1798), adopted in response to the Federalist Alien and Sedition Acts. It was again asserted by southerners claiming the right to nullify the tariff and, finally, to secede from the Union.[9] The contrary perspective was asserted by politicians like Andrew Jackson, Daniel Webster, and Abraham Lincoln in response to claims that the constitutional system resembled a compact more than a Union. In addition, the "one people" understanding was articulated on a number of important occasions in the

[8] Two exceptions are Feldmeier, "Federalism and Full Faith and Credit: Must States Recognize Out-of-State Same Sex Marriages?" *Publius* 107 (Fall 1995): 25; and Brown, "Competitive Federalism and the Legislative Incentives to Recognize Same-Sex Marriage," *Southern California Law Review* 745 (May 1995).

[9] On tariff nullification, see John C. Calhoun, Fort Hill Address (26 July 1831). On secession, see Jefferson Davis, Message to the Confederate Congress (29 April 1861).

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Supreme Court, both in its earliest years and under the sway of the profoundly influential arch-Federalist Chief Justice John Marshall.[10]

During these debates the analogy between federalism and international law was explicit. One reflection of this, James Bryce reminds us, is that what is today referred to as the field of conflict or choice of law was at one time—even in the American domestic context—referred to as "private international law."[11] The notion of comity—that the courts of one sovereign will as a matter of deference or respect rather than obligation give effect to the laws or judicial decisions of another sovereign—is a long-standing doctrine of international law, just as it is a central doctrine in the law of federalism. We can see this relationship clearly and relevantly, for example, in the work of Joseph Story, who devotes a considerable portion of his domestic conflicts of law treatise to both court cases and the views of continental legal scholars on the appropriate rules governing the cross recognition of marriages and divorces by nations.[12]

Arguments and assumptions about the degree of departure from an internationalist model within the American federal system have varied with the policy area at issue. With few exceptions, marriage, typically a noncontroversial matter, has been regulated by the states in a quasi-internationalist manner. In this area, deference to state sovereignty has carried the day.

Marriage in the Federal System

The regime under which states rather than the federal government control marriage law is a long-standing feature of American federalism. Under what Theodore Lowi calls the Traditional System (1800–1933), the national government concerned itself with issues of economic development.[13] Regulations concerning the health, safety, and morals of the community, which included marriage regulations, were matters of state law. State courts and legislators, as part of their police powers, were given almost unlimited authority over the hearths and homes of their citizens.

Although the federal government has exercised national police power since the later part of the nineteenth century and particularly since the New Deal, most police regulation concerning marriage remains the province of the states. The doctrine of comity dominates the resolution of conflicts between states concerning marital regu-

[10] For an early exposition on the nature of the Union by the Court, see *Chisholm v. Georgia*, 2 Dall. (2 U.S.) 419 (1793). For key Marshall-era opinions on the matter see *Martin v. Hunter's Lessee*, 1 Wheat. (14 U.S.) 304 (1816); *Cohens v. Virginia*, 6 Wheat. (19 U.S.) 264 (1821); *McCulloch v. Maryland*, 4 Wheat. (17 U.S.) 316 (1819).

[11] James Bryce, *The American Commonwealth*, 2 vols. (London: Macmillan & Co., 1889), 1:338.

[12] Joseph Story, *Commentaries on the Conflict of Laws, Foreign and Domestic, in Regard to Contracts, Rights, and Remedies, and Especially in Regard to Marriages, Divorces, Wills, Successions, and Judgments* (Boston: C.C. Little & J. Brown, 1841).

[13] Theodore J. Lowi, *The Personal President: Power Invested, Promise Unfulfilled* (Ithaca: Cornell University Press, 1985), chap. 2.

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lations. Through principles of comity, the courts and legislatures of each state determine whether to recognize a marriage validated by another state.

A regime defined by comity is held together less by legal rules entailing the coercive settlement of disputes than by deference and accommodation. Smoothly functioning comity regimes are made possible by widespread adherence to a series of norms. Three such norms have traditionally governed the cross recognition of marriage in the American federal system. Under the norm of respect, a marriage valid where it was celebrated is valid elsewhere. Accordingly, most married couples can travel freely without concern that their marriage may be without effect in another state. Under the norm of good faith, states may refuse to recognize a marriage solemnized in another state if the couple went there to avoid the restrictions imposed by their own state's marriage laws. Under the norm of hewing to the mainstream, many states, either through statutory or common law, refuse to recognize marriages that are "odious" or "contrary to a strong public policy."[14]

Norms of Interstate Comity Regarding Marriage

Interstate Norm	*State Law Doctrine*
Respect	A marriage is valid everywhere if valid where celebrated
Good Faith	Evasion statutes
Hewing to Mainstream	Public Policy Exception

In response to recent events in Hawaii, sixteen states that consider the cross recognition of same-sex marriage contrary to their public policy have enacted legislation to deny recognition to any such marriages solemnized in another state. Two states have issued executive orders with a similar effect. Twenty other states have considered such legislation but, to date, have failed to adopt it.

The flurry of political action and public discussion about same-sex marriage, however, is unusual. Rarely have cross-recognition issues raised by public policy exceptions become important political issues. Historically, most have involved case-specific determination of little general interest.

Cross Recognition as a State Issue

As part of their traditional regulatory powers regarding marriage, states may determine the legal requirements for a valid marriage contract, control the qualifications of the contracting parties, set the forms and procedures necessary to solemnize the marriage, fix the duties and obligations that the marital relation creates, promulgate

[14] See Va. Code Ann. sec. 20–40 (1950).

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the effects of the marital relation upon property and other rights, and fix the legal grounds for marital dissolutions.

Although each state legislates its own marriage laws, conflicts are rare because the laws are similar. The result has been, in Hans Baade's terms, "a false conflict nirvana" that could be shattered by the same-sex marriage issue.[15] Heretofore cases involving cross-recognition disputes have been settled by adjudication at the state level under the tenets of state law. These kinds of cases are varied and sometimes contradictory in their conclusions, but they have distinctive features and deal with discrete sets of issues. They involve marriages that were sanctioned and solemnized by the laws of one state (or a foreign country) that would not have been valid had they been entered into in the state where recognition was sought. Thus states that do not allow common-law marriages under their laws are asked to recognize common-law marriages solemnized elsewhere. Similar issues arise regarding recognition of marriages that violate local age restrictions, kinship restrictions, health restrictions, bigamy prohibitions, and racial restrictions.[16] So far, only cases having to do with race have migrated from state to federal courts.

In coming to their decisions in cross-recognition cases, state courts first consider the relevant state's statutory law regarding marriages entered into in foreign jurisdictions. Prior to the recent wave of legislation in response to the *Baehr* decision, of the fifty states and the District of Columbia, twenty-one had no cross-recognition statutes.[17] Fourteen had enacted the common-law rule that a marriage valid where celebrated is valid in their state.[18] Sixteen had so-called evasion statutes under which their residents could not marry elsewhere in order to avoid the marriage laws of their state.[19]

State courts also consider the context in which the dispute arose (though they do not give it equal or consistent weight). Many cross-recognition cases, for example,

[15] Baade, "Marriage and Divorce in American Conflicts Law: Governmental-Interests Analysis and the Restatement (Second)," *Columbia Law Review* 72 (February 1972): 329, 331.

[16] See, for example, *In re Triggs Estate*, 426 P.2d 637 (AZ 1967) (common law marriage); *Mangrum v. Mangrum*, 220 S.W.2d 406 (KY 1949) (age); *Leszinske v. Poole*, 798 P.2d 1049 (NM Ct. App. 1990) (kinship); *In re Perez' Estate*, 219 P.2d 35 (CA 1950) (health); *State v. Fenn*, 92P. 417 (WA 1907) (bigamy); *State v. Bell*, 66 TN 9, 32 Am. Rep. 549 (1872) (race); *Loving v. Virginia*, 388 U.S. 1 (1967) (race).

[17] Alabama, Alaska, Colorado, Iowa, Louisiana, Maryland, Minnesota, Missouri, Montana, Nevada, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Tennessee, Texas, Virginia, Washington. The common law of many of these states, however, does follow the general rule that a marriage, if valid where solemnized, is to be recognized in that state unless, in some cases, it is against the state's public policy.

[18] California, Florida [Op. Atty. Gen.], Hawaii, Idaho, Kansas, Kentucky, Michigan, Nebraska, New Jersey, New Mexico, South Carolina, South Dakota, Utah, Wyoming. The common law of some of these states holds to this rule *even if* the couple went to another state to get married to avoid the laws of the residency state.

[19] Arizona, Arkansas, Connecticut, Delaware, District of Columbia, Georgia, Illinois, Indiana, Maine, Massachusetts, Mississippi, New Hampshire, North Dakota, Vermont, West Virginia, Wisconsin. For these states to recognize a marriage solemnized in another state, the couple married in that other state must have actually resided there at the time of the marriage.

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have come to court only after the death of one spouse. This circumstance seems to affect the court's attitude toward the marriage. A typical example is *In re Dalip Singh Bir's Estates* (1948), in which California recognized a polygamous marriage entered abroad. It did so for the purpose of dividing an intestate's estate equally between two surviving wives where neither contested the right of the other to share the estate and the wives were the only interested parties.[20] Similarly, in *In re Mays Estate* (1953), the New York Court of Appeals (perhaps influenced by the interests of a deceased's survivors as well as by respect for a mainstream religion—here, Judaism), recognized a marriage between an uncle and his niece despite the fact that New York prohibited such marriages, declaring them void and "opposed to natural law,"[21] and the couple had gone to Rhode Island to marry.

These rather low-profile cases were decided consistent with the comity that characterizes international relations. But given that the United States is generally considered more than a union of sovereign states, what are the constitutional limits on the doctrine of comity in the context of marriage?

Full Faith and Credit: The Lurking Issue

In reaching their conflicts decisions, state courts have recognized that states have a strong and legitimate sovereignty interest in governing the marital relationships of their domiciles. When a conflict arises about which state's laws will be applied to a marriage, the laws of the domicile state are often sustained on the basis that it has a stronger interest in the marriage. As Baade has observed, however, this interest-balancing approach to conflict-of-law questions about marriage is in tension with the consolidating dictates of the full faith and credit clause of Article IV of the U.S. Constitution.[22] The clause mandates that "Full Faith and Credit shall be given in each state to the public Acts, Records, and judicial Proceedings of every other state. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved and the Effect thereof."[23]

The full faith and credit clause would seem to be the provision of the constitutional text that would provide the key to resolution of cross-recognition issues. Neither the history nor the language of the clause, however, do much to advance us

[20] *In re Dalip Singh Bir's Estates*, 188 P.2d 499 (1948).

[21] *In re Mays Estate*, 114 N.E.2d 4 (1953). See also *In re Estate of Loughmiller*, 629 P.2d 156 (KS 1981), marriage of first cousins accepted if valid where celebrated—case involving settlement of estate; Contra, *In re Vetas Estate*, 170 P.2d 183 (UT 1946), letters of administration sought—held: cannot leave state to evade local rules against common law marriages.

[22] Baade, "Marriage and Divorce," 330, n. 21. The Supreme Court has held that the domestic obligation of full faith and credit does not extend to judgments of foreign countries, which are purely governed by the doctrine of comity. *Hilton v. Guyot*, 159 U.S. 113 (1895). With the increasing trend toward the internationalization of rights through human rights conventions, this situation could change.

[23] U.S. Const. Art. IV, Sec. 1.

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toward a legal standard that would replace the accommodationist regime of comity.[24]

The full faith and credit clause has a cryptic history. It was the descendant of a predecessor clause in the Articles of Confederation that stated, "Full Faith and credit shall be given in each of the states to the records, acts, and judicial proceedings of the courts and magistrates of every other state."[25] The origins of the predecessor clause, however, are uncertain.

During the Constitutional Convention, there was some discussion of the clause, but that discussion was minimal. In convention, it was recorded that "Mr. Wilson & Docr. Johnson supposed the meaning to be that Judgments in one state should be the ground of actions in other states, & that acts of the Legislatures should be included, for the sake of Acts of insolvency, &c."[26] Initially, like its predecessor in the Articles, the clause did not confer any powers upon Congress. Unhappy with that lack, James Madison expressed his wish that "the Legislature might be authorized to provide for the execution of Judgments in other States, under such regulations as might be expedient."[27] The record of the convention adds that "[h]e thought that this might be safely done and was justified by the nature of the Union."[28] Gouveneur Morris agreed with this view, and James Wilson expressed the view that "if the Legislature were not allowed to declare the effect, the provision would amount to nothing more than what now takes place among all Independent Nations."[29]

Not surprisingly, given the early record concerning the clause, Justice Robert Jackson ventured the uncontroversial opinion that he believed that the members of the Constitutional Convention and of the early Congresses had no more than "a hazy knowledge of the problems they sought to settle or of those which they created by the Full Faith and Credit Clause."[30] One thing that is clear, however, is that Congress has a large well of power arising from the clause which, until recently, it has not seen fit to dip into. The scope of that power has never been tested in the courts.

Until passage of DOMA, Congress had used this power only twice in its history, and each time for noncontroversial purposes. In 1790 it enacted a law that required that properly authenticated "Records and judicial Proceedings shall have such Faith

[24] The history of the full faith and credit clause, which I draw upon below, is outlined by Justice Robert Jackson, "Full Faith and Credit—The Lawyer's Clause of the Constitution," *Columbia Law Review* 45 (January 1945): 1; see also Radin, "The Authenticated Full Faith and Credit Clause: Its History," *Illinois Law Review* 39 (May–June 1944): 1; Corwin, "The 'Full Faith and Credit Clause'," *University of Pennsylvania Law Review* 81 (February 1933): 371; Nadelmann, "Full Faith and Credit," *Michigan Law Review* 56 (November 1957): 33; Cheatam, "Federal Control of Conflicts of Laws," *Vanderbilt Law Review* 6 (April 1953): 581; Sumner, "The Full Faith and Credit Clause—Its History and Purpose," *Oregon Law Review* 34 (June 1955): 224.

[25] U.S. Articles of Confederation, Art. IV.

[26] Max Ferrand, *The Records of the Federal Convention of 1787* (New Haven: Yale University Press, 1911), 447.

[27] Ibid., 448.

[28] Ibid.

[29] Ibid.

[30] Jackson, "Full Faith and Credit," 6.

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and Credit given to them . . . as they have by law or usage in the courts of the state from which they are taken."[31] In 1948 it added the word "Acts" immediately prior to the words "Records and judicial Proceedings."

The plain language of the clause conveys little more guidance than its history does. On its face the clause commands that each state give deference to the court decisions, public records, and statutes of other states.[32] At the same time the language explicitly gives Congress some power, the scope of which is nebulous. Congress is given the authority to legislate "by general Laws" matters of procedure and proof involved in giving effect to the clause. This power seems to be that of setting neutral rules of the road that facilitate the application of the clause. The text also gives Congress the power to prescribe the "Effect" that the "Acts, Record, and Proceedings" of one state will have in another state. Standing alone, this sentence appears to give Congress unlimited authority to delimit the "Effect" that one state's judgments would have in another state.

How, then, are we to understand the extent of the power granted to Congress? Some might argue that the second sentence cannot give Congress the power to eviscerate the very command stated in the first sentence in emphatic and mandatory terms: "*Full* faith and Credit *shall* . . ." (emphasis added). They might also contend that the phrase "general Laws" in the second sentence should be read to prohibit Congress from writing laws that would force states to give full faith and credit to judgments of other states in favored areas that are denied in disfavored areas.[33]

In the absence of a history of congressional action, the question of what full faith and credit is and when it must be accorded has been left to the courts, leading Edward Corwin to say in 1933 what remains true today, that "Indeed, there are few clauses of the Constitution, the merely literal possibilities of which have been so little developed as the 'full faith and credit clause.'"[34] This is why Jackson dubbed the clause "the lawyers' clause of the Constitution": its parameters have been set almost entirely through the incremental workings of a common-law jurisprudence. Robert Cover similarly observed: "[C]hoice of law had long been an area of legislative neglect and of judicial cultivation. Out of habit, history, and a sense of expertise, this field was peculiarly that of the judge."[35]

[31] 28 U.S.C.A. Sec. 1738 (1982).

[32] See *Erie v. Tompkins*, 304 U.S. 64, 78 (1938), "Whether the law of the state shall be declared by its Legislature in a statute or by its highest court in a decision is not a matter of federal concern."

[33] The cross recognition of same-sex marriages might be such a disfavored area. But see *Alaska Packers Ass'n v. Industrial Acc. Comm'n*, 294 U.S. 532 (1935), ("A rigid and literal enforcement of the full faith and credit clause, without regard to the statute of the forum, would lead to the absurd result that, wherever the conflict arises, the statute of each state must be enforced in the courts of the other, but cannot be in its own."), upholding decision by California courts that California rather than Alaska law applied in a dispute over an accident claim where employment contract was entered into in California but injury took place in Alaska.

[34] Corwin, "The 'Full Faith and Credit Clause'," 388, n. 36.

[35] Robert M. Cover, *Justice Accused: Anti-Slavery and the Judicial Process* (New Haven: Yale University Press, 1975), 85.

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The American judge has given the clause a decidedly flexible feel. The courts have made it clear that although "the full faith and credit clause is not an inexorable and unqualified command,"[36] the fact that the judgment of one state is against the strong public policy of another may not absolve that state of its obligation to give the policy effect. In the case of *Fauntleroy v. Lum* (1908), the Supreme Court held that a state must give full faith and credit to the judgment of another state if that state had jurisdiction to render the judgment.[37] This was so even though the judgment was based on a cause of action that was illegal in the state in which enforcement was sought.[38] Other cases, however, reach confusingly contrary conclusions. For example, in *Griffen v. McCoach*, the Court stated that "a state is not required to enforce a law obnoxious to its public policy."[39]

To date, the most firm, court-defined qualification to the full faith and credit requirement applicable to marital issues[40] is that the courts of the forum state may review a foreign judgment to inquire whether the rendering court has jurisdiction to make the judgment in the first place. Thus, in the matrimonial area, full faith and credit issues are often framed in jurisdictional terms.

[36] *Pink v. A.A.A. Highway Express, Inc.*, 314 U.S. 201, 210 (1941), holding Georgia law controlled obligations of Georgia residents who were policy holders in an insolvent New York insurance company and that the Georgia courts did not have to defer to a New York statute which potentially affected the disposition of the insolvency. See also *Alaska Packers Ass'n* (1935).

[37] *Fauntleroy v. Lum*, 210 U.S. 230 (1908).

[38] Specifically, the Court held that the Mississippi courts could not refuse to give effect to a judgment of a Missouri court on an action on a gambling transaction in cotton futures despite the fact that the transaction took place in Mississippi and was a misdemeanor in Mississippi when it occurred there. This decision is relevant to the cross recognition of same-sex marriages as currently six states (Arkansas, Kansas, Missouri, Montana, Tennessee, and Texas) have laws specifically prohibiting oral or anal intercourse between people of the same sex. Oral and anal intercourse is prohibited by statute for all people in seventeen states.

In implicit agreement with *Fauntleroy*, Jackson observed that "[i]t is hard to see how the full faith and credit clause has any practical meaning as to statutes if the Court should adhere to the statement that 'a state is not required to enforce a law obnoxious to its public policy.'" (citing *Griffen v. McCoach*, 313 U.S. 498, 507 [1941]). Jackson, "Full Faith and Credit," 27, n. 36.

[39] 313 U.S. 498, 507 (1941), holding that Texas courts were not obligated to enforce a life insurance contract which was valid in New York, where it was executed, because the beneficiary of the contract had no insurable interest in it and the enforcement of such insurance contracts was obnoxious to the public policy of the state of Texas. See also *Scott v. Sandford*, 19 How. (60 U.S.) 393 (1857), holding in part that Dred Scott's status as a slave was to be determined by Missouri law as interpreted by Missouri courts regardless of what Scott's status may have been while he was living in another state; *Bradford Electric Light v. Clapper*, 286 U.S. 145, 161 (1932), ("I can find nothing in the history of the full faith and credit clause, or the decisions under it, which lends support to the view that it compels any state to subordinate its domestic policy with respect to persons and their acts within its borders, to the laws of any other." [Harlan Fiske Stone, concurring]), after interest balancing, holding that the compensation act of Vermont—where the injured party entered into an employment contract with his employer—would prevail over a conflicting compensation statute in effect in New Hampshire, where the injury took place and the suit was brought. Explicitly, in these situations, the issue is framed as a duel of inconsistent state interests or policies.

[40] See generally Jackson, "Full Faith and Credit," for others.

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Perhaps the leading case in this area is *Williams v. North Carolina* (1945) ("*Williams II*").[41] In *Williams II*, the Court made clear that while courts of one state are bound to give full faith and credit to the legitimate judgments of another state courts, the reviewing court is entitled to assess whether or not the court that issued the judgment was within its jurisdictional powers in doing so. Such jurisdictionally based judgments, the Supreme Court held, do no violence to the Constitution.[42] This approach is an outgrowth of the interest-balancing approach to the full faith and credit clause mentioned earlier.

Thus, as regards the application of the full faith and credit clause to marital cross-recognition issues, we can follow Jackson in concluding that we "cannot say with any assurance where the line is drawn . . . between what the Supreme Court will decide as constitutional law and what it will leave to the states as common law."[43] We do know that there is a "strong unifying principle embodied in the [clause] looking toward maximum enforcement in each state of the obligations or rights created or recognized by the statutes of sister states."[44]

In short, the history, text, and Court interpretations of the clause advance us little beyond what we knew about cross-recognition practice from the state court comity cases in which the clause is not mentioned. Full faith and credit cases are decided on a case-by-case basis with close attention to context and policy considerations. We know from these constitutional cases, as we did from the state cases, that the federal Union is more than a contractual arrangement among sovereign states but, at the same time, that states do retain a large measure of sovereignty, particularly over the institution of marriage.

The Slavery Analogy

Although disputes among states about the cross recognition of same-sex marriages may be resolved by rules analogous to those in international law, they may also be resolved through a nationalist approach involving a unified system of standards and the resolution of conflict through resort to an ultimate authority. Disputes between the states over slavery during the first half of the nineteenth century were resolved

[41] *Williams v. North Carolina*, 325 U.S. 226 (1945).

[42] In *Williams II*, the court was faced with a situation in which the defendant had been convicted of bigamy in North Carolina after North Carolina refused to recognize the validity of the divorce he entered into in Nevada. The couple involved in the case had lived in North Carolina prior to the divorce, went to Nevada to get divorced from their prior spouses and then married there (they stayed in a motor lodge in Nevada for six weeks immediately prior to the divorce, a time period required for the parties to be within the state for the Nevada court to have jurisdiction over them according to Nevada law). They then returned to North Carolina to live as husband and wife.

[43] Jackson, "Full Faith and Credit," 13.

[44] *Hughes v. Fetter*, 341 U.S. 609 (1951), holding that under the full faith and credit clause, Wisconsin courts were obligated to enforce the Illinois Wrongful Death Act when Wisconsin resident brought an action in a Wisconsin court for a death which had occurred in Illinois despite a Wisconsin statute declaring that actions could only be brought in Wisconsin courts for deaths occurring within Wisconsin.

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in both ways. Early on, the internationalist approach predominated; later, the Supreme Court imposed a nationalist solution.

In some ways, the dispute about slavery mirrors that now breaking out over same-sex marriage. Each involves the refusal on moral grounds of one state to recognize an important status relationship conferred by another state.

Before examining the similarities of these disputes in more detail, let us note their differences. First, they concern very different kinds of relationships. In contemporary America, marriage is consensual and contractual; the relationship between master and slave was not. For purposes of the comparative analysis that follows, both kinds of status are treated as unities, and the circumstances surrounding the creation of each are ignored.

Second, although the cross recognition of slavery and the cross recognition of same-sex marriage raise related constitutional issues (to be discussed below), the constitutional positions of these statuses are not identical. Under the Constitution's fugitive slave clause, nonslave states were compelled under certain circumstances to recognize the slave status created in another state.[45] This constitutional provision was buttressed by the fugitive slave acts of 1793 and 1850. As such, the cross recognition of slave status was made an explicit part of the national political bargain that formed the federal Union. This was not the case with marriage laws.

Finally, the disputes differ markedly in their political salience and institutional importance. The dispute over slavery was a central issue at the time of the framing of the Constitution and was the central issue leading to the Civil War. It was an issue of enormous economic and moral importance to vast sectional interests, and hundreds of thousands died in resolving it. However controversial gay marriage may be, it is unlikely to provoke a war and the breakup of the Union.

The chief analogy between the two disputes is that each involves a fear of moral infection that motivates one state to resist the penetration of its borders by a status believed to be immoral and conferred by another state. Fear of the nationalization of slavery through forced cross recognition was a major factor leading to the Civil War. This fear was augmented by both congressional and judicial action. The Fugitive Slave Act of 1850, for example, potentially sullied the citizens of nonslave states by forcing them to give active succor to the peculiar institution. As Leonard Levy put it, the 1850 law "brought the law of bondage home to a free state."[46] Among other things, the act empowered federal marshals to summon all citizens in free states to help enforce it.[47] The Supreme Court's opinion in *Dred Scott* (1857),

[45] That clause reads: "No person held in Service or Labour in one State, under the Laws thereof, escaping into another, shall; in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due." U.S. Const., Art. IV, Sec. 2.

[46] Leonard W. Levy, *The Law of the Commonwealth and Chief Justice Shaw* (NY: Harper Torchbooks, 1967), 85.

[47] David M. Potter, *The Impending Crisis, 1848–1861* (New York: Harper Torchbooks, 1976), 131. See also Harold M. Hyman & William W. Wiecek, *Equal Justice Under Law: Constitutional Development 1835–1875* (New York: Harper & Row, 1982), 195.

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perhaps the most famous cross-recognition case of all time, confirmed the worst fears of those in the free states by holding that the slave status could not be dissolved when the master and his slave (property of which the master could not be constitutionally deprived) crossed state lines. The gradual opening of the free states to slavery was a major theme of the Lincoln-Douglas debates.[48]

Citing the voluntary nature of comity, many free states attempted to ward off the infection threatening from the South. In response to the Fugitive Slave Act of 1850 and to *Dred Scott*, many states passed legislation prohibiting slavery within their borders.[49] These efforts rested upon a quasi-internationalist understanding of the relationship among the states.

Participants in the dispute over slavery were well aware of the relationship between their arguments and doctrines of international law, particularly as they were applied in *Somerset v. Stewart* (1772), the famous prerevolutionary English slavery case.[50] In *Somerset*, a slave who had been brought to England by his master sued for his freedom on the grounds that the slave status was not recognized by England and that, being on English soil, the law of England should control. The King's Bench sided with him, holding that since the status of slavery is odious, it may be maintained only by positive law, and that a positive law conferring that status stops at the border of a nation-state. Not surprisingly, *Somerset* was popular in those free state courts where judges were keen on avoiding cross-state infection.[51]

Massachusetts Supreme Judicial Court Justice Lemuel Shaw applied the *Somerset* precedent in *Commonwealth v. Aves* (1836), his influential early comity opinion.[52] In *Aves*, Shaw determined the status of a six-year-old slave girl named Med who was brought by the wife of her owner on a visit from New Orleans to Massachusetts. Prior to *Aves*, federal and state courts in both the North and the

[48] Hyman & Wiecek, *Equal Justice*, 95. See Harold Holzer, ed., *The Lincoln-Douglas Debates* (NY: HarperCollins, 1993): Debate at Alton, Ill. (15 October 1858); 350, 353–54, 341–42; Debate at Ottawa, Ill., (21 August 1858), 74–77; Debate at Freeport, Ill. (27 August 1858) 98–103; Debate at Charleston, Ill. (18 September 1858), 212–13, 227–28; Debate at Quincy, Ill. (13 October 1858), 285–87, 296, 319–20. See also Lincoln's "House Divided" speech (Springfield, Ill., 17 June 1858).

[49] New York, Massachusetts, Ohio, Vermont, Maine, Pennsylvania. Hyman and Wiecek, *Equal Justice*, 95–96. Note the similar positive law limitations adopted by states in the marriage context in an effort to avoid recognition of certain marriages held to be contrary to public policy.

[50] King's Bench, 1772. Story begins the analysis of slavery in his influential conflicts treatise with a discussion of *Somerset's Case*. Story, *Conflicts*, 92. For a fuller account of the case than that offered here, see William M. Wiecek, "*Somerset*: Lord Mansfield and the Legitimacy of Slavery in the Anglo-American World," *University of Chicago Law Review* 42 (Fall 1974): 86.

[51] See Hyman and Wiecek, *Equal Justice*, 88. Wiecek refers to the doctrine that I call the holding of the case as "neo-*Somerset*," a simplified gloss on the actual holding of the King's Bench. Wiecek, "*Somerset*," 118. As he himself discusses, however, from the moment *Somerset* was decided the perceived holding was enormously influential with judges and with political actors. It makes sense here to present the holding of the case as it was understood by relevant political actors rather than as an abstract, legalistic construction.

[52] This discussion of the *Aves* case is largely based on the account of Levy, *Commonwealth*, 62–68; and Paul Finkelman, *An Imperfect Union: Slavery, Federalism, and Comity* (Chapel Hill: University of North Carolina Press, 1981). Those interested in an exhaustive treatment of other similar cases should consult Cover, *Justice Accused,* chap. 5, and the more comprehensive presentation of Finkelman.

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South had concluded that slaves permanently removed to free states were to be considered free upon that removal. In *Aves*, the court had to decide what effect the temporary presence of the slave in a free state had on the status of the master-slave relationship formed in another state.

In arguing for the slaveowner, Benjamin Curtis (later a Supreme Court Justice and dissenter in *Dred Scott*) advanced a number of arguments based upon a theory of the nature of the American Union. Curtis argued that the nature of the Union required comity and that, despite its own policies, Massachusetts was compelled to respect the laws and institutions of Louisiana. *Aves*, Curtis argued, was different from *Somerset* because the states of the Union stood in a different relationship to one another than sovereign nations did.[53]

Curtis further argued that the issue to be determined was one not of morality but of law. Accordingly he emphasized the limited nature of the right asserted by Med's master. He pointed out that there was no question that under the federal Constitution the Massachusetts court would be forced to assist in the return of a fugitive slave. This being so, the court could not insist that Massachusetts policy prevail over more fundamental constitutional principles (including comity). To persuade the court that it was possible for a state to maintain its commitment to freedom while respecting the obligations of comity, he cited laws in New York, Pennsylvania, New Jersey, and Rhode Island that gave masters permission to bring their slaves with them on visits to these free states.

The argument on behalf of Med's freedom was made by Ellis Gray Loring, an officer in the Massachusetts Anti-Slavery Society, assisted by Rufus Choate and Samuel Sewall. Loring argued that where profound moral issues are concerned, considerations of comity have no place. On such an issue, Massachusetts had the right to advance its policy and, through its laws, to set a moral example to its people by refusing to sanction the master-slave relationship. Loring further noted that Louisiana did not accord comity to free blacks traveling in Louisiana.

The court held that Med should be free. Shaw, however, was attentive to the arguments of the southern states and respectful of the principle of comity. He began his opinion by declaring slavery illegal in Massachusetts "upon the ground that it is contrary to natural right and the plain principles of justice." In support of this he cited the explicit declaration of the 1780 Massachusetts Declaration of Rights that all men were to have free and equal status as a birthright.

Shaw accorded slavery a middling status. He cited *Somerset* and *The Antelope* (1825)[54] to show that slavery was not contrary to the law of nations, and he added that disagreement over policy or morals was no reason for the courts of one

[53] As Jeremy Rabkin has suggested to me, the internationalist approach adopted by Mansfield in *Somerset* was expedient given that the British colony from which the slave was brought to England was not a sovereign nation autonomous from the laws and government of the British Isles.

[54] *The Antelope*, 23 U.S. 66 (1825), involved the disposition of slaves under the control of the U.S. government following a federal revenue cutter's seizure of a privateer that had captured a slave ship, *The Antelope*.

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sovereign to void the laws of another. On the other hand, he asserted that slavery was so odious that it could exist as an institution only as a creation of positive law.

As for the owner's presumed right to carry his property with him where he will (a right later defended with vigor by Roger Taney in *Dred Scott*),[55] Shaw held that the right to the portability of property applied "only to those commodities which are everywhere and by all nations, treated and deemed subjects of property." Any law making slaves property was peculiar, and thus was only to be recognized within its own jurisdiction. Shaw cited the consequences of any holding to the contrary, namely the nationalization of slavery that would result from the strict recognition of a property right in slaves. Because of the unusual nature of slavery, the fugitive slave clause and legislation passed pursuant to it were to be strictly construed. Shaw contended that such strict construction was justified as part of the 1787 Compromise, which was intended to protect the institution of slavery in America's slave states.

The institution of slavery raised fundamental questions about the nature of the Union. While the debate over slavery was at a relatively low pitch, conflict concerning the geographical movement of slaves was resolved by state court judges applying the doctrine of comity. With slavery, as with marriage in the 1960s as far as race was concerned, there eventually came a point at which conflict resolution through the state courts was inadequate, the debate become national, and different governmental institutions become involved.[56]

Cross-State Marriage Recognition Through Horizontal and Vertical Federalism

Disputes concerning the cross recognition of slave and marital status have been resolved in different ways at different times. Most often they have been settled horizontally by the courts of each state according to the tenets of comity and state law. Disputes regarding the cross recognition of same-sex marriage could be similarly resolved.

By refusing to compel cross recognition, DOMA encourages the horizontal resolution of interstate same-sex marriage disputes. As with the parties to most marital cross-recognition cases and most early slavery cases, parties in future same-sex marriage cases are encouraged by the prevailing legal order to litigate their disputes in state rather than in federal courts. This makes sense because many cases involving marital cross-recognition (whether mixed-sex or same-sex) deal with areas that are traditionally the province of state law, such as the probate of wills and a variety of divorce-related issues such as property division and child custody.

The decision whether to contest same-sex marital issues in state or in federal fora will be informed by both statutes and court decisions at the state and national

[55] *Dred Scott v. Sandford*, 60 U.S. 393 (1857). See also *Strader v. Graham*, 51 U.S. 82 (1851), forum state policy dictates slave status when slave domiciled outside of forum state returns to that state.

[56] See discussion of *Loving v. Virginia*, 388 U.S. 1 (1967) in this article.

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levels. If federal courts reject full faith and credit arguments concerning cross-recognition, or if the Supreme Court refuses to grant *certiorari* on the issue, litigants will have no choice but to adjudicate their claims in state courts.

Litigants may have other incentives to pursue their marital claims in state courts. Those courts may appear more hospitable than the Supreme Court; because state court rulings do not set policy for the entire nation, they may show fewer inhibitions than the Supreme Court in compelling cross recognition of same-sex marriages. And litigants may prefer to avoid arguing for sweeping changes in national policy when their immediate interests are affected primarily by the policies of a single state. Although horizontal resolution of cross-recognition cases would create a patchwork of marriage laws, this patchwork would be no different from that which has historically governed other nonmainstream public policies, such as lowered age and lenient kinship restrictions.

There are disadvantages to horizontal dispute resolution, however, including the possibility that one state may retaliate against another that failed to respect its legal arrangements. Interstate contentiousness over the issue could be exacerbated by the civil rights rhetoric that, unlike the rhetoric surrounding age and kinship issues, is a large part of the discourse concerning the effort to legitimate same-sex marriages. But given that any vanguard state would be aware that it is operating outside the mainstream, it is unlikely to protest another state's differing public policy decision. Moreover, no state would want to embroil itself in a dispute that could jeopardize recognition of previously unproblematic mixed-sex marriages.

At some point, however, parties and governmental institutions may choose to abandon a horizontal approach. For most of the time slavery existed in America, most disputes concerning the interstate movement of slaves were resolved horizontally. This accommodationist approach worked fairly well until Northern and Southern state courts grew more confrontational in the 1830s.[57] With the *Dred Scott* decision, the horizontal resolution of disputes was abandoned—with drastic political consequences. We might suggest that the country would have been better off had the *Dred Scott* decision gone the other way. Similarly, we can assume that a commitment to the horizontal, state law resolution of same-sex marriage cross-recognition issues will diffuse political tension over the issue. It will also allow political dialogue about the desirability of the marital arrangement. This dialogue would have the virtue of being informed in part by the studied experience of the vanguard states.

Policy makers have the alternative of seeking a vertical solution to cross-recognition disputes. The federal judiciary could embrace same-sex marriages as unions that are constitutionally protected under a national right to marry.[58] A vertical approach—which seems unlikely in the current political context—would render un-

[57] See generally Finkelman, *An Imperfect Union*; Wiecek, "*Somerset*," 131, n. 54.

[58] See, for example, *Meyer v. Nebraska*, 262 U.S. 390, 399 (1923); *Zablocki v. Redhail*, 434 U.S. 374, 383 (1978); *Loving v. Virginia*, 388 U.S. 1, 12 (1967); *Griswold v. Connecticut*, 381 U.S. 479 (1965).

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necessary any horizontal full faith and credit analysis. The Supreme Court followed this rights-based approach in *Loving v. Virginia* (1967) with regard to the cross-recognition of interracial marriages.[59]

Loving involved a marriage between a white man, Richard Loving, and a partly black, partly Native American woman, Mildred Jeter. The couple lived in Virginia but could not marry there because a state law prohibited interracial marriages.[60] In 1958 they went to the District of Columbia to marry. Upon their return they were prosecuted for violating a state evasion statute that targeted interracial couples.[61]

Virginia's state courts imposed a one-year jail sentence upon the Lovings, but agreed to suspend it for twenty-five years if the two would leave the state and not return for the same amount of time. In 1963 the Lovings sought to vacate this judgment. After losing an appeal in Virginia's Supreme court, they were successful in having the Virginia antimiscegenation statutes struck down by the Supreme Court in 1967. Although Virginia's high court had ruled that the regulation of the formation of marital relationships lay wholly within the state's police power, the Supreme Court held that the scope of the police power over marriage is limited by the requirements of the Fourteenth Amendment's due process and equal protection clauses. The opinion in the case did not so much as mention full faith and credit issues.

Loving, however, was preceded by a major civil rights struggle supported by public opinion that had successes in the federal courts, the federal bureaucracy, and in the federal legislature. At the time *Loving* was decided there had been an important trend away from bans on interracial marriages. In 1944, thirty states prohibited them; in 1962, twenty-four did. By the time *Loving* was handed down in 1967, the Court was striking down the laws of only sixteen states.[62] Only after these struggles was the Court able to nationalize as rights-based the racial component of marriage laws.

In contrast to the racial civil rights movement, the gay rights movement has yet to build up sufficient popular, legislative, and judicial support to sustain a judicial declaration that same-sex marriages constitute a national civil right. To date, the movement's only success in this area has been in the court system of a single state with an unusually progressive state constitution. To declare a right to same-sex marriages after a legalization of such marriages in Hawaii would be to nationalize an approach advocated by a single state (and, even there, by its judges rather than by

[59] *Loving v. Virginia*, 388 U.S 1 (1967).

[60] Va. Code Ann. Sec. 20–59 (1950): "If any white person intermarry with a colored person, or any colored person intermarry with a white person, he shall be guilty of a felony and shall be punished by confinement in the penitentiary for not less than one nor more than five years."

[61] Va. Code Ann. Sec. 20–58 (1950): "If any white person and colored person shall go out of this state, for the purpose of being married, and with the intention of returning, and be married out of it, and afterwards return to and reside in it, cohabiting as man and wife, they shall be punished as provided in Sec. 20–59, and the marriage shall be governed by the same law as if had been solemnized in this state. The fact of their cohabitation here as man and wife shall be evidence of their marriage."

[62] Robert F. Drinan, S.J., "The Loving Decision and the Freedom to Marry," *Ohio State Law Journal* 29 (Winter 1968): 358.

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its legislature). Given the context, a Fourteenth Amendment decision upholding a national right to same-sex marriages would be much bolder than *Loving* was.

Federal-state Relations and Same-sex Marriages

With the goal of developing intimate and loving ties between members of society and of providing stable environments in which to raise children, the federal government both encourages people to marry and respects the marital relationship. Its policies promote marriage by according married couples reduced income, inheritance, and gift tax liabilities, providing social security benefits to a surviving spouse, giving preferences in immigration and citizenship to the spouse of an American citizen, and mandating unpaid leave to take care of a sick family member. The federal rules of evidence accord a marital privilege allowing one to avoid testifying against one's spouse.

Until the passage of DOMA last year, the federal government accepted state determinations of marriage for purposes of the distribution of federal credits and benefits. It will do so no longer if the determinations involve same-sex couples.

It is not hard to see why Congress acted as it did. In accepting state determinations that same-sex couples are married, the federal government would be encouraging and nurturing same-sex unions, as it does mixed-sex unions, through its policy involvement with the family. Simply by respecting a state's traditional regulatory powers over its domiciles, the federal government would be nationalizing the state policy on same-sex marriages and forcing all Americans to subsidize such marriages.[63]

By refusing to recognize such marriages, however, the federal government is setting itself up as the ultimate arbiter of who may and who may not marry. This approach injects it as a policy maker in matters traditionally reserved to the states.

Conclusion

The full faith and credit clause of the Constitution provides little guidance to policy makers (including judges) at the state and national level trying to determine the most appropriate way to treat same-sex marriages solemnized in a vanguard state. If we understand American constitutionalism as a living tradition of norms and practices, however, rather than as simply the product of a single written text, we can put the prospect of same-sex marriages into a useful constitutional framework sensitive to the nature of American federalism.

In a system characterized by a history of quasi-internationalist comity in the area of marriage law, governmental institutions are on the most firm constitutional grounds when they exercise as little coercion as possible over states concerning the

[63] See generally, Samuel Beer, "The Modernization of American Federalism," *Publius*, 3 (Fall 1973), arguing that nationalization of certain government functions stimulates the trend toward the nationalization of additional, related functions.

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regulation of marriage. As previously discussed, a successful regime operating through a functioning comity depends upon adherence to a group of traditional governing norms. In the United States, the norms of good faith, respect, and hewing to the mainstream have governed cross-recognition disputes concerning marriage. Current policy should be directed toward the support and preservation of these norms.

Good faith is appropriately preserved by declarations either by the federal courts or by Congress that couples may not go to another state to evade the marriage laws of their home state. Such declarations would be in harmony with much existing state statutory or common law and consistent with Article IV of the Constitution. Given that evasion is an opportunistic attempt at legal subterfuge, this approach has the added virtue of seeming intuitively fair.

Strict policies forbidding evasive marriages would eliminate many potential conflicts concerning same-sex marriages. More difficult questions are raised, however, when the legitimately-married move from their home state to another. In such cases, it is trickier—if not impossible—to adhere to the two other norms at issue, respect and hewing to the mainstream. In considering how to maximize the value of these norms for nonevasive marriages, it may by helpful to look separately at the two institutions that have the most power to structure the policy landscape affecting conflicts questions, Congress and the federal courts.

Using its powers under the full faith and credit clause, Congress, a popularly elected branch of the national government, can help to establish uniformity only within the broad mainstream of American law and values. Part of DOMA leaves the interstate cross-recognition issue up to the states. In enacting this, Congress acted with restraint and consistent with its constitutional duties. In effect, it simply restated the law as it would have been had it never acted on the issue at all. By staying out of the way of states that choose to recognize marriages celebrated in vanguard states, Congress showed appropriate deference both for the norm of respect and to the concept of state sovereignty.

Congress was less respectful of the governing norms of federalism, however, in another part of DOMA, in which it usurped the traditional state prerogative of defining marriage. Here, Congress demonstrated a lack of respect for traditional notions of state sovereignty that allow the states and not the federal government to set the course of the political mainstream.

In considering the horizontal and vertical status of nonevasive marriages, the position of the federal courts differs from that of Congress. The marital cross-recognition issue raises the spectre of policy making by unelected judges in a contentious area. In the wake of a final decision in *Baehr*, federal courts risk making decisions as controversial as those handed down in *Lochner v. New York* and *Roe v. Wade*.

For the federal courts to declare that DOMA's cross-recognition provision falls short of constitutional requirements would be to set up judge-made marriage policy for the nation. This is too much power to be wielded by a few judges, especially if this assertion of power is based primarily upon the nationalization (through highly questionable full faith and credit means) of a bold interpretation of an atypical provision in the Hawaii state constitution. Without strong support from a convincing

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rhetoric of justice, such a decision would undercut the judiciary's standing and its capacity to enforce the norm of respect in opposition to a wall of consensus of mainstream marriage law.

The Supreme Court, however, has a distinctive role in our system in setting out vertical definitions of national rights. It would be appropriate for the Court to compel cross recognition not on full faith and credit grounds but instead under the equal protection (or possibly due process) clause of the Fourteenth Amendment. The Court would be taking the path it took regarding antimiscegenation laws in *Loving*, where the Court ignored the horizontal federalism issues and, hence, the evasive nature of the Lovings' marriage. But the Court should not mistake what it is doing. It would be throwing the internationalist-accommodationist approach of federalism to the side and taking a coercive legal approach to the resolution of the dispute. Whether or not that is wise or whether such a decision would be considered more akin to *Roe* than to *Loving* will depend upon changes in public opinion and values.

Even if initially the Court declares DOMA's cross-recognition position to be adequate, it will still play a role either in preserving current values or in provoking their change. It will do so by thinking through the concrete issues raised in other gay rights cases and in making decisions about the other part of DOMA regarding the eligibility of couples married in a vanguard state for federal benefits and exemptions. These cases, unlike full faith and credit cases, will require the Court to grapple with Fourteenth Amendment arguments concerning same-sex marriages. The arguments advanced in these cases involving federal-state relations will ultimately influence those used in cross-recognition cases. Vertical issues will in time have an effect on the conception of the horizontal problem.

This article has made no argument concerning the desirability of according same-sex marriages legal recognition. Many are debating the issue in both academic and popular fora. I have suggested that the federal courts should accept DOMA's cross-recognition provisions and avoid compelling such cross-recognition through stylized technical arguments concerning the full faith and credit clause. The text of the clause is ambiguous; nothing in the history of its application and, importantly, nothing in the larger history of the operating norms of the American federal system—with its values of comity concerning marriage—supports the argument that the cross-state recognition of same-sex marriages should be compelled on Article IV grounds. The only justification for mandatory cross recognition would be a determination that same-sex couples have a fundamental Fourteenth Amendment right to marry. Our political institutions will be able to make such a rights-based determination only after many more years of dialogue about and state experimentation with the institution of legally-sanctioned same-sex marriages. A patient adherence to traditional American norms of federalism concerning marriage is the most appropriate way to advance reasoned policy making.*

* I am grateful for the encouragement and criticism offered by Theodore Lowi, and Jeremy Rabkin.

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A Review Essay of Robert M. Gates's Memoirs

RAYMOND L. GARTHOFF

Regrettably, from the standpoint of historians and political scientists, Robert Gates chose to write a book seeking a wide audience, hyping "revelations," and disdaining source references (save for a few unnumbered backnotes keyed to pages in the text).[1] This, of course, is understandable for an "ultimate insider's story." Gates's book, part memoir and part historical survey, purports to deal with the entire period from 1969 through 1991, but it is weak on the period before the 1980s, apart from some interesting observations on the Carter administration. It comes into its own on the Reagan and Bush administrations. Also, although touted as the account of the first CIA analyst to become director of central intelligence, Gates's experience as an intelligence analyst was brief—moreover, apart from increasingly senior staff and executive positions in the CIA, about half of his Washington career was spent in three tours on the National Security Council (NSC) staff in the White House. As Gates himself chooses to put it in referring to his time in the White House, "I spent more years working there than any president but Franklin D. Roosevelt" (p. 574).

Gates has a number of perceptive observations to make about American policy. He draws attention to the basic underlying continuity of policy under all cold war presidents, with a varying mix of confrontation and détente (and varying mixes of hawks and doves in each administration). In particular, he emphasizes the generally unappreciated continuity of policy under Jimmy Carter and Ronald Reagan, including a shared military buildup, a tough line pressing human rights issues, and even covert operations. I believe in this he is right, although I think

[1] Robert M. Gates, *From the Shadows: The Ultimate Insider's Story of Five Presidents and How They Won the Cold War* (New York: Simon & Schuster, 1996).

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he greatly overstates the role of increasing American pressure on the Soviet Union in the decade from 1977 through 1987 in influencing Mikhail Gorbachev's revolutionary change in Soviet foreign policy.

Gates *was* an insider in a position to tell us much of what went on in the Reagan and Bush administrations, and he does. He provides a great deal of interesting and occasionally important detail on the interplay among the participants in policy making from the White House, State department, Defense department, and CIA. Generally his account rings true; in some cases it seems slanted to highlight Gates's point of view, but this may merely reflect his perspective. He offers thoughtful appraisals of many senior officials, sometimes with unexpected evaluations. His praise of George Bush, while no doubt genuine, is also to be expected; his praise of Jimmy Carter is more surprising. As a protégé of the late CIA Director William Casey, Gates shows sympathy but acknowledges his serious flaws. He is respectful of Secretary of State George Shultz, who in his own memoir was highly critical of the CIA and Gates personally. He has mixed views of Secretary of State James Baker (whom he describes as "a real piece of work," p. 456). He rightly describes National Security Adviser Brent Scowcroft as very effective in running the NSC. Secretary of Defense Richard Cheney was, as Gates notes, "the only senior member of the [Bush] administration more skeptical than I that Gorbachev would be successful" (p. 457) and, he could have added, also equally opposed to having Gorbachev succeed. He does admit that he and Cheney "wanted to see the Soviet Union broken up" (pp. 501–02).

The end of the cold war and the subsequent collapse of the Soviet Union as the climactic developments of the period when Gates was a participant both in providing intelligence and in making policy are the most interesting subjects addressed. Gates is quite defensive, submitting in effect an extended brief studded with quotations from internal documents to buttress his case that both the CIA and he, Gates, were on top of the situation and recognized the looming Soviet economic crisis and, after 1989, the probable impending collapse of the USSR. He focuses above all on the assessments and projections of growing economic difficulties, in part because of their importance, but one suspects in part as well because he can make a better case for the CIA in that respect. He glosses over the principal failure, on his own part much more than on that of the CIA analysts, to recognize the significance of Gorbachev's new thinking on ideology and external policy that was central to ending the cold war. The most he will admit is that the changes in Soviet foreign policy were "much more dramatic than I anticipated"—even now not conceding their full significance. And he still contends that his own disparaging assessments of Gorbachev were "pretty accurate across the board for the first three years of his rule" (p. 566), not acknowledging what he does elsewhere, that one key role of intelligence is to assess and foresee impending developments. While correctly noting that Gorbachev did not intend or desire to bring down the whole Soviet system and the USSR itself, Gates failed at the time and again now in his memoir to acknowledge how far Gorbachev was moving, intentionally, to end the cold war.

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Gates does provide new information, including quotations from his own and other previously classified documents, although selectively to support his arguments. He implies credit to himself for the CIA's disclosure in 1983 of the trend of declining growth in Soviet military spending, without mentioning that he was responsible for holding up the release of that finding for some months and then delegated a subordinate to provide the testimony. He also notes that as a result the CIA was "in hot water with Weinberger and Defense"—"the last thing Weinberger needed was CIA analysis that suggested Soviet defense spending was slowing" (p. 319). Gates does not, however, report that in April 1987 as acting director he instructed that a memorandum be prepared by the CIA for Weinberger focusing on Soviet economic strengths. Nor, in praising the CIA's reporting on Soviet economic decline, does he mention that in June 1985 he rejected a CIA directorate of intelligence draft that predicted continuing low economic growth, and asked for more attention to the potential for policy changes under Gorbachev that he then believed could raise Soviet economic performance in the short and long run.

The traditional comparisons of U.S. and Soviet military capabilities and defense spending were always loaded in the sense that they omitted the fact that U.S. allies had much more powerful strategic and global military capabilities than did Soviet allies. Yet a full-scale NATO–Warsaw Pact comparison was not made by the CIA until 1987—and then only over the objections of Deputy Director Gates, who argued in an internal CIA memorandum in November 1987 that such comparisons would be leaked by opponents of U.S. defense spending. Gates is silent on this whole issue and many others. For another example that raised the question of the proper relationship between intelligence and policy, Gates on 24 November 1986 as deputy director of central intelligence made a public speech that slanted to the edge of distortion the official intelligence estimate, exaggerating Soviet pursuit of strategic anti-missile defenses, in a blatant effort to buttress the administration's political drive for the Strategic Defense Initiative (SDI). Many in the CIA were dismayed at this politicization of intelligence.

To cite but one other instance of selective disclosure, Gates states that in preparation for the first summit meeting of Reagan and Gorbachev in Geneva in 1985 "Casey forewarned—accurately" that the Soviets would propose substantial strategic force reductions in exchange for limits of SDI, and told the president that "the Soviets see Geneva almost exclusively in terms of the political contest and what they cannot win from you at the bargaining table they intend to win through manipulation of the American media and Congress" (p. 342). In fact, the intelligence analysts, with some hard intelligence, had told Casey that Gorbachev was serious and would propose equal limits of 6000 nuclear warheads and 1200 strategic nuclear delivery vehicles for each side—as he did. But Casey did not present this intelligence to the president because Defense intelligence chiefs and Gates discounted this information; they believed the Soviet military required larger strategic forces to cover all their targets (mirror-imaging our targeting and war-planning doctrine), and they failed to see Gorbachev's intention to turn down and end the arms race.

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In sum, Gates has produced a useful input to understanding U.S. policy making in the 1980s through 1991, including some fascinating anecdotal vignettes of bureaucratic interplay, and some useful information and observations on the role of intelligence in the policy process. It is, however, at best a contributing source rather than a balanced evaluation of American and Soviet policies in the last decade of the cold war.

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Book Reviews

Internationalization and Domestic Politics *edited by Robert O. Keohane and Helen V. Milner. New York, Cambridge University Press, 1996. 308 pp. Cloth, $54.95; paper, $19.95.*

This volume represents the state of the art in the study of the effects of internationalization on domestic politics. Specifically, it examines the extent to which economic internationalization, operationalized as the consistent increase in the last several decades of international trade and investment flows, affects domestic policy choices. It approaches the subject from a rationalist perspective and addresses both the expected impacts of internationalization on policy preferences and the mediating effects of existing political institutions on actual policy outputs. Following an introductory chapter by Helen V. Milner and Robert O. Keohane, Jeffrey Frieden and Ronald Rogowski provide an analytic overview of the impact of the international economy on domestic policy preferences, and Geoffrey Garrett and Peter Lange model the mediating effect of institutions on the political change caused by economic internationalization. The case studies are individually very good, but leave fairly substantial gaps in their coverage. For example, there are no cases that examine Western Europe specifically, and only one chapter on the entirety of the developing world. On the whole, though, this volume is the most comprehensive attempt, both theoretically and geographically, to address the question of the effects of economic internationalization on domestic politics. It also works well as an edited volume; the theoretical chapters lay out a set of clear propositions, and the following chapters address these propositions fairly directly.

The concluding chapter, also by Milner and Keohane, identifies and sums up these effects. The surprising thing is not that these effects exist; rather, it is that these effects are not stronger. The editors are able to find significant empirical support for most of their hypotheses. The effects of internationalization, however, were neither universal, nor nearly as overwhelming as some of the globalization literature would have us believe. The case studies suggest that strong states, particularly the communist systems of the Soviet Union and China, can block these effects over a long term. Even in the studies of liberal democracies the effects are often mitigated by strong institutions.

This book is important, though, for what it says implicitly about the current state of the study of international political economy as well as what it says explicitly about internationalization and domestic politics. In particular, it is a reflection both on how the field has developed since the 1970s, and on where it might be headed from here. Keohane and Milner began the project with the question, "what happened to interdependence theory?" (p. vii). The rest of the volume implicitly answers that question. Interdependence theory was the predominant theoretical statement of liberal international theory in the 1970s, and described a complex

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and contingent world, a world too complicated to be captured by formal models. Since then the trend has been toward increased use of rational-actor models and increasing formality, which has tended to leave interdependence theory behind. Whether one thinks of this as a positive trend or not, this volume is an effective statement of the current methodological predominance of deductive, rational theorizing amongst liberal approaches to the study of international political economy.

It is interesting to note that as the topical ambitiousness of formal models increases to encompass the sort of broader and more general questions tackled by interdependence theory, the ambitiousness of claims to prediction seem to be retreating to the point where we still need qualitative, even narrative, research to predict in any specific situation. In attempting to apply formal logic simultaneously to the effects of internationalization on domestic policy preferences and to the mitigating effects of political institutions, this volume has shown that formal theorizing in the end faces many of the same limitations as the methodologies it replaces.

J. SAMUEL BARKIN
University of Victoria

High Hopes, The Clinton Presidency and the Politics of Ambition *by Stanley A. Renshon. New York, New York University Press, 1996. 320 pp. $24.95.*

This is an excellent book in which politics and pyschology are artfully joined. The author's primary purpose is to solve a puzzle about why Bill Clinton's talent has misfired so often. To this end he explores the development of Clinton's political personality and its expression in different fields of action. His method is informed by the prudent use of psychoanalytic theory.

Renshon believes in the moral and political efficacy of truth telling in politics. The most serious problem in the modern polity, he argues, is the lack of public confidence in leaders and governments. This can only be overcome if political leaders tell publics the truth. They should educate rather than sell. And character is the key to efficacy.

Character, as the core element of personality, has three parts, which are ambition, integrity, and relatedness. Ambition is healthy in its commitment so long as it is not narcissistic. Integrity consists of ideals that guide ambition and move us outward toward others. A president with a solid, coherent political identity has the ability to reach out to publics and make that identity contagious.

Renshon finds that Clinton falls short of character at its best. He has been unable to give the public a clear picture of his political identity. He claimed to be a "new" Democrat but sometimes acted like an old one. His self-confidence as president was so great that he overreached badly in his policy goals with too little respect for limits of the feasible. He has not so much wished to be liked as to be validated, and this self-absorption has limited his insight into reality.

Renshon's analysis of Clinton's early life suggests that the haphazard manner in which Clinton has lived his life—always late, doing several things at one time, refusing closure on decisions—was learned from his mother, who lived this way. She abandoned young Bill even as she adored him. His grandmother was the nurturer, but neither she nor his mother taught the boy a sense of limits. The adoration fostered self-idealization that had to be validated

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by action but with little sense of limits or boundaries. Clinton grew up with a sense that he was "deprived but entitled."

These characteristics were seen in the history of Clinton's draft record in which he tried to have it both ways, that is, to appear to volunteer but also to avoid service. Hillary Clinton is depicted as ambitious to do good but unbending and intolerant of caution. Grandiosity is thus reinforced.

The political consequences of character were most apparent in the disastrous overreaching of Clinton in his first term as governor and his first two years as president. He leads from a roller coaster; every win is accompanied by a loss, and then he revives. The author believes that Clinton lost his opportunity to be an effective president because he reached for more policy achievement, without being effective, than the public actually wanted. We see here Renshon's political centrism as well as his theory that character in the form of truth telling based on a good sense of reality is the most effective kind of leadership.

In my judgment Renshon sees Clinton as a person and politician accurately. However, an analysis of the same behavior as explained by the deep divisions within the Democratic coalition, including the congressional party and the intransigent congressional Republicans, could also explain the zig-zagging and suggest that Jimmy Carter and Clinton were both prisoners of a no-win politics. It might be better to set the context first and then ask what personality contributed to outcomes at the margins. Still, this is a superb example of how psychology may illuminate politics.

ERWIN C. HARGROVE
Vanderbilt University

War Powers: The President, the Congress, and the Question of War *by Donald L. Westerfield. Westport, CT, Praeger, 1996. 245 pp. $55.00.*

The book focuses on a critical controversy dating back to the founding of the Republic: the conflict between the president and Congress over their respective authority in decisions involving the use of armed forces in foreign conflicts. Rooted in ambiguous constitutional provisions that vest in Congress the power to declare war and designate the president as commander-in-chief, the dispute over war powers still awaits resolution.

At the outset, Donald Westerfield identifies several factors accounting for the predominance of the White House in decisions involving the use of force. These include the expressed and implied authority of the president to act on the basis of his aggregate powers as commander-in-chief, chief executive, and chief diplomat; his ability to commit U.S. armed forces to the defense of other nations through executive agreements without the advice and consent of the Senate; and the presumed power of the president to authorize U.S. participation in United Nations military or peacekeeping operations in response to Security Council resolutions under Chapter VII of the Charter. Missing from the explanation is the president's ability to control, manipulate, and withhold information from Congress, so adroitly exercised by Lyndon Johnson to extract the 1964 Gulf of Tonkin Resolution from Congress. Such omission is especially glaring, given the author's claim that members of Congress "were thoroughly knowledgeable regarding the . . . scenario of hostilities leading up to the confrontation in the Gulf of Tonkin" (p. 82).

In the second half of the book, the author illuminates the diverse perspectives of the two branches on the 1973 War Powers Resolution (WPR) and evaluates the extent to which

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President George Bush complied with the consultation and reporting requirements of the WPR in decisions related to Operations Desert Shield and Desert Storm. Analyzing the extensive communications between the president and Capitol Hill, Westerfield concludes that Bush kept Congress informed "regarding almost every detail of deployment of armed forces along with the rationale for doing so" (p. 131) and that "sufficient consultation did occur to a degree that more than satisfied the requirements of any interpretation of the War Power Resolution" (p. 161).

Unfortunately, both conclusions rest on weak evidence. In one case, for example, the author's assertion that Congress had been consulted rests entirely on Bush's claim, made in a speech to the nation on 8 August 1990 that he had "shared with the congressional leadership" the decision to deploy U.S. armed forces to Saudi Arabia. Here as in other instances, Westerfield overlooks evidence, readily available in many sources cited in his bibliography, documenting that Bush presented Congress with successive *fait accomplis* and that he made numerous critical decisions without prior advice from Congress.

The author's interpretation of key United Nations and congressional resolutions is equally problematic. For example, the wording of Security Council Resolution 670 (25 September 1990) did not authorize member states "to take offensive military action" against Iraq. Likewise, Senate Concurrent Resolution 147 (2 October 1990) could not approximate congressional "advice and consent" for continued action against Iraq for three reasons: it was never approved by the House, it did not address the use of offensive force, and it did not refer to the WPR, as stipulated by the 1973 measure.

Lastly, it is difficult to reconcile the author's preference for repealing the WPR with his claim that this legislation, with all its flaws, "has been, to a significant degree, effective in forcing Congress and the president to accommodate each other when it is necessary to use American armed forces in foreign conflict" (p. 4). All in all, this volume promises much more than it delivers.

MICHAEL RUBNER
Michigan State University

The Sources of Russian Foreign Policy after the Cold War *edited by Celeste A. Wallander. Boulder, CO, Westview, 1996. 233 pp. Cloth, $65.00; paper $22.95.*

American policy toward Russia after the demise of the USSR has been criticized for its lack of clear objectives and its myopic focus on the man in charge in the Kremlin. But in light of the essays appearing in this book, it is obvious that even for expert scholars it is difficult to pin down the direction of Russian foreign policy in a period of international and domestic political flux.

Rather than suggesting an all-encompassing explanation of Russian foreign policy, this book suggests various possible outcomes. Even if the work is already being superseded by events (it was written when the threat of Vladimir Zhirinovsky loomed larger than it now does and Boris Yeltsin was temporarily playing the Slavophile card), it remains useful insofar as it delineates many of the political-ideological contours that will determine the shape of the new Russia's foreign policy in the near future.

The book leads off with an introduction by the editor, Celeste Wallander, who in a valuable survey critiques the literature on Soviet foreign policy. She distinguishes among

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five analytical approaches to the subject, each emphasizing a different determinant of policy: regime types, ideology, elite politics, interest groups, and reactions to external events. Her discussion of the flaws in each of these categories is reasonable, but the articles she brings together in this collection adopt these very same approaches. Her rather self-evident unifying statement about the articles fails to provide any alternative direction for analysis: "I conclude that the key to understanding future Russian foreign policy is to understand two sets of linkages: those between ideas, institutions, and interests and those between domestic political power and the international environment" (p. 15).

All the chapters offer important insights, but several stand out. James Richter's fruitful analysis of political rhetoric shows the emergence of a consensus that Russia should remain a great power and protect Russians in the "near abroad." In the only article to offer a possible strategy to Western statesmen, Kimberley Zisk argues convincingly that military-industrial managers are important political players who will support cooperation with NATO if the West, by buying their wares, makes it profitable for them to do so. In an excellent chapter, Ted Hopf reveals how fluid the Russian sense of identity is in the near abroad. It grows stronger and angrier in Estonia, where a restrictive definition of citizenship coexists with a relatively liberal political regime, but weaker in Uzbekistan, whose government is repressive but has adopted a flexible and inclusive policy toward ethnic Russians. On this basis he suggests that Russia's predisposition to bully its former republics is highly variable in its manifestations.

The emphasis the articles place on elites as the primary source of Russian foreign policy makes sense, given historical tradition and the weak legal and institutional restraints on their behavior. Jack Snyder's explanation of nationalist rhetoric as a component of elite coalition building is particularly astute. But he and the other authors overlook the autonomous strength of mass opinion in the new polity. Snyder's own evidence of the Russian public's pacifism (or apathy) suggests an immunity to the nationalist frenzies of the sort whipped up by politicians in Yugoslavia. Clearly, popular opinion played a major role in motivating the government to attempt to negotiate an end to the Chechen war. In disregarding the emerging significance of public opinion as a factor in the formation of Russian foreign policy, this otherwise informative book highlights the need to supplement research models developed for analysis of the USSR.

STEVE MARKS
Clemson University

Senators on the Campaign Trail: The Politics of Representation *by Richard F. Fenno, Jr. Norman, University of Oklahoma Press, 1996. 448 pp. $22.95.*

In *Homestyle*, his seminal work on House members in their districts, Richard F. Fenno, Jr. advised his readers that the "soaking and poking" method of congressional research was "a young person's game," requiring talents and energies "optimized by people of their twenties and thirties more than in their forties and fifties" (p. 253). Luckily for students of Congress, Fenno has defied his own advice and gone soaking and poking once again—this time following senators over a nearly twenty-year period. The result is another seminal volume on the forging of ties between legislators and constituents. Fenno shows once again that an "observational approach" (p. 3) is prerequisite for building our understanding of representation, this time of the links between senators and constituencies back home.

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Between 1976 and 1992, Fenno visited ten nonincumbent and twenty-one incumbent campaigns to learn something about the crafting of representational relationships by aspiring and sitting senators. He observed candidates seeking election or reelection and followed them through at least their subsequent campaign six years later. *Senators on the Campaign Trail* focuses on ten such senators, studying both successful and failed challenger and incumbent campaigns.

Fenno focuses on senatorial careers as a means of exploring representation—what he calls "durable connections" (p. 238) between politicians and citizens. Representation, he argues, is the slow process of negotiating a durable fit with one's constituents. Given his theoretical interest in the development of representational relationships over time, his empirical focus is careers: the prepolitical careers of senators and their subsequent behavior in the Senate. Because campaigns are milestones in those careers, Fenno looks at these ten senators' careers through their campaigns. By moving his analytical focus to candidates and their campaigns, he is able to offer a new perspective on the importance of campaigns and their probable independent effects on senators, their careers, and electoral outcomes.

Fenno reaches several conclusions about careers and representation. Most important, he suggests, is that representation be conceptualized as a negotiated relationship between constituents and politicians that develops over time, constantly subject to challenge and renewal. Initial support for a senator is *contingent* and must be renegotiated by senators who hope to build successful careers in Congress. Empirically, this suggests that successful incumbent campaigns should differ from challenger campaigns. Challenger campaigns are primarily about establishing a senator's *personal character*; incumbent campaigns revolve around voters' assessments of a senator's *political character* (p. 326), an assessment that is based on the quality and substance of the on-the-job performance. Senators who fail to offer clear signals in their campaigns about their political character are more likely to fail in their reelection bids. Fenno, for example, attributes much of Wyche Fowler's loss in 1992 to his failure to offer a clear message about either his policy accomplishments or his personal character. Voters were not given "anything to connect with" (p. 225). Only by studying the sequence of campaigns in a politician's career, Fenno argues, can we fully understand how representative relationships are forged in legislative politics.

Any empirical findings drawn from a series of case studies raise the question of their generalizability across senators and over time. Fenno acknowledges the limits of his study and suggests that he is content to offer some general research directions. He is too modest. He has made an important theoretical contribution to our understanding of representation in suggesting that Senate careers and campaigns are path-dependent and that it is impossible to understand either senators' behavior or electoral outcomes without recognizing their developmental nature. Past decisions and outcomes (and how politicians interpret them) affect both subsequent political choices and the likelihood that legislators can cultivate lasting relationships with their constituents.

SARAH A. BINDER
The Brookings Institution

"Tell Newt to Shut Up" *by David Maraniss and Michael Weisskopf. New York, Simon and Schuster, 1996. 218 pp. Paper, $10.00.*

This is a wonderfully serious book, the pandering title notwithstanding. Maraniss and Weisskopf, two reporters for the *Washington Post*, were allowed fly-on-the-wall access to much

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of the Republican revolution in the House in 1995. What they couldn't cover directly they managed to find out about through more than three-hundred interviews.

Their formula is simple: Introduce an important issue, personalize it by discussing the background and foreground of the key Republican House leader in charge of it, and then follow through on what happened. Early chapters discuss Tom DeLay's Project Relief, designed to gut environmental protection laws (What can you expect from a former exterminator?), Bill Goodling's attempt to cut food assistance for the poor, John Kasich's efforts to craft a budget resolution calling for a balanced budget in seven years, and Thomas Ballenger's efforts to exterminate the Occupational Health and Safety Administration (OSHA). There are also chapters on the big three: Newt Gingrich himself, Dick Armey, and Tom "The Hammer" DeLay. The last chapter is particularly interesting because it deals with "the money machine" (PACs) in the Republican era. Several chapters deal directly with policy issues without personalization, including fascinating accounts of funding the B-2 bomber and the attempt to reorganize Medicare funding.

The second half of the book concentrates on the budget battles of 1995. Here the authors provide a day-by-day, blow-by-blow account of the crucial budget negotiations. Their narrative highlights the tensions between Gingrich and the conservatives he surrounded himself with in the leadership, the way Gingrich and Bill Clinton conducted their negotiations, and perhaps most significantly, the crucial role of Bob Dole in patching things up (just as he did in the 1990 budget negotiations).

I think the authors missed an opportunity to make a detailed comparison of Clinton's performance in the 1995 negotiations with George Bush's efforts in 1990. They might have demonstrated through such a comparison just how much the Republicans got taken in both sets of negotiations. Such a comparison might offer useful insights into the ways presidents succeed and fail, particularly in the era of modern media politics; but little of that gets discussed here. The authors point out that Gingrich and his team were very impressed with the way the military conducts "after battle" assessments: Perhaps an important order of business for the GOP would be to assess the battles of the budgets.

This book has almost no analysis, historical context, or theoretical framework. The authors do little with what they presented early on as a thesis: that Gingrich lost the revolution because he didn't understand that he would have to play by the rules of celebrity media, not traditional political media. And the book peters out with a final paragraph on an obscure nobody named John Kasich (chair of the House Budget Committee) musing about better times and how things didn't seem to work out. But these are minor quibbles about a work that is pure journalism of the best kind, deserving of its Dirksen and Polk prizes and best-selling success. It is written flawlessly in a snappy and irreverent style that will be especially appealing to undergraduates and general readers; but it is meticulous in its research, focuses on policy issues, and always takes its readers seriously.

RICHARD M. PIOUS
Barnard College

Clinton and Post-Cold War Defense *edited by Stephen J. Cimbala. Westport, CT, Praeger, 1996. 216 pp. $55.00.*

Observers traditionally offer appraisals of an administration's foreign policy as a president completes his first term in office. These assessments fuel partisan debates and lay the ground-

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work for future scholarly comparisons of an administration's first-term and second-term foreign policies. In assessing the Clinton administration's performance, however, Stephen J. Cimbala and his colleagues adopt a unique approach by evaluating the administration's first-term foreign policy as the first post–cold war presidency. As a result, many of these essayists view the Clinton administration not as an agent of change but as a product of recent international, domestic, and generational events.

The greatest international changes confronting the administration are produced by the collapse of the Soviet Union. The end of the superpower standoff has increased the latitude enjoyed by lesser powers, while increasing both the ability and demand for the United States to act as an international manager of conflict. Calls for humanitarian operations or peacekeeping, however, confront the administration with painful dilemmas. As Donald Snow notes, the desire to do something about human suffering cannot always be justified given minimal U.S. strategic interests in a specific area. Americans also have not accepted that humanitarian goals and political outcomes do not necessarily coincide; peace enforcement inevitably means taking sides in a conflict. Military intervention, even for humanitarian purposes, remains an inherently political act.

Domestically, the administration is using the peace dividend, produced by a reasonable cutback in force size, for deficit reduction. The high, unanticipated operational tempo of U.S. forces, however, will soon produce a hollow force at current funding levels. Because the military has been able to utilize a cold war equipment surplus, capital modernization has been deferred to pay for current operations. Although they differ on remedies, many of the contributors to the volume (Don Snider, Andrew Kelly, Lawrence Korb, and Paul K. Davis) agree that his approach to defense expenditure cannot be sustained for much longer. If expenditures do not increase to pay for new equipment, then forces must shrink or operating tempos and readiness must decline.

In terms of generational change, Cimbala notes that the distance between George Bush and Bill Clinton is far greater than the differences in experience that separated Dwight D. Eisenhower from John F. Kennedy. For members of Clinton's baby-boom generation, it is the Vietnam debacle, not the triumph of World War II, that serves as the dominant analogy when considering military issues. By contrast, members of the military are still animated by their brilliant performance in the Gulf War. These differences raise some troubling issues in civil-military relations. Several contributors suggest that neither Clinton nor the military distinguished themselves in the gays-in-the-military dispute: In hindsight Clinton appears naive, while the military is criticized for its resistance to the president's policies. Concerns also emerge that the military is becoming increasingly conservative as individuals self-select for military service.

As an early look at the Clinton administration's first term, the volume's contributors have done a fine job in describing the challenges that have faced the first post–cold war presidency. Several give the administration a passing mark in meeting the chronic instability now confronting the United States. They also make clear that in a strategic and institutional sense, neither the Clinton administration, nor the defense establishment has adjusted fully to meet the challenges facing the United States. The development and funding of a sustainable defense policy to meet both the miniaturization of threats and the lingering potential for major conflict is an issue that remains to be resolved.

JAMES J. WIRTZ
Naval Postgraduate School

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Rivals for Power: Presidential-Congressional Relations *edited by James A. Thurber. Washington, DC, Congressional Quarterly Press, 1996. 267 pp. Paper, $24.95.*

The elections of 1994 ushered in dramatic transformations in presidential-congressional relations. Readers of *Rivals for Power*, a new collection of essays edited by James A. Thurber, will find solid and sometimes innovative treatments of these relations prior to 1995. But if they pick up this volume in the expectation of insights into the new state of affairs between the president and Congress, they are likely to be disappointed.

Perhaps the most pathbreaking article in *Rivals for Power* is Roger Davidson's "The Presidency and Congressional Time." Challenging Stephen Skowronek's view of "political time" as driven by presidential action, Davidson turns to legislative productivity as an alternative measure. He finds that bill introduction and committee activity grew from the 1940s to the 1970s, then underwent a marked decline. To Davidson, the statistics he presents (pp. 29–36) suggest that the modern Congress has passed through three distinct stages: a "bipartisan conservative era," a "liberal activist era," and a "postreform era." In each of these eras, legislative productivity has had little to do with either the efforts of individual presidents or the effects of party control. Davidson speculates that we may have begun a fourth era—a "partisan conservative majority" (pp. 37–39)—which will restart the clock of political time once more on legislative, not presidential, terms.

Taking a more presidency-centered perspective, several of the articles in *Rivals for Power* examine legislative coalition building by the White House. Lester Seligman and Cary Covington show how the political context has become more unfriendly to presidential coalition building in numerous ways. President Clinton's health-care reform debacle provides them with a convenient application of their coalition-building approach. Leroy Rieselbach depicts the diversity of coalitions that Clinton built in his first two presidential years, depending on the character of the legislation he was pushing. With examples ranging from the pure partisanship of the 1993 budget to the unusual dependence on Republicans for ratifying NAFTA, Rieselbach drives home the point that presidents must construct coalitions "one vote at a time" (p. 86).

President Clinton is the focus of several of the articles. In his thoughtful analysis of Clinton's relationship with the 103rd Congress, James Pfiffner points to a paradoxical record: Clinton scored well on roll-call votes, and the Democrats scored high on party unity; yet both fell short when the stakes were highest. Louis Fisher reviews Clinton's actions and statements as commander-in-chief and finds a pattern of expansive claims for presidential authority and dismissals of a congressional role. His stinging analysis reveals that when it comes to deploying troops, Clinton's bid for executive power has been as bold—and as constitutionally questionable—as that of Richard Nixon.

While most of the articles make reference to the novel features of the 104th Congress, only James Thurber's piece on budgetary reform provides any detailed look at or substantive analysis of how things have changed since the 1994 elections. Thurber is particularly good at placing the budget-balancing plans of the congressional Republicans in the context of prior reform efforts starting with the 1974 Congressional Budget Act. His article is also instructive in indicating how the Republican budget process envisions a power shift whose losers are the presidency and organized interest groups outside of the Republican coalition.

It is still much too soon to determine which of the dramatic changes introduced by the 104th Congress will be lasting. Nonetheless, it is disappointing that so few of the contributors to *Rivals for Power* have sought to understand what these changes might entail for presidential-congressional relations. Can Congress, for example, sustain its new role as chief agenda

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setter? Will increased party unity and decreased member individualism persist, and how will this affect presidential efforts at coalition building? Students of presidential-congressional relations need to confront a historic change in their object of study, even as it continues to unfold.

BRUCE MIROFF
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Congress and the Presidency *by Michael Foley and John E. Owens. Manchester, UK, Manchester University Press, 1996. 432 pp. Cloth, £50.00; paper, £17.99.*

The two British authors explain that their analysis of Congress and the president is "unashamedly institutionalist" (p. 5). While recognizing the impact of personalities and individual actors, Foley and Owens carefully and systematically examine the institutional environment in which the two branches operate. Theory, history, institutional structures, charts, and statistics are skillfully blended to highlight the strengths and weaknesses of each branch. Given the ambitious scope of the book, the writing is uniformly lucid, crisp, and insightful. Clearly this is a major work done by outsiders peering inside. They succeed admirably.

The first ten chapters prepare the way for an analysis of two major policy controversies. The first proposition: "That foreign-policy making is executive in nature and as such necessarily supersedes the normal dynamics of the separation of powers." Although Congress still has problems in understanding and asserting its constitutional prerogatives, a multitude of new conditions since World War II have produced "a far more open-ended policy framework than the old enclosed and presidentially centered model" (p. 381). In a number of foreign policy disputes, Congress has demonstrated its institutional ability to successfully challenge presidential actions.

The second proposition: "That Congress' role in the execution and administration of policy is not and should not be confined to monitoring and supervising the executive after the fact." According to traditional public administration models, presidents should execute, manage, and administer policy without congressional interference. However, the authors conclude that this passive model of congressional "has become hopelessly outdated" (p. 384). Not only is this precept outdated, it is incompatible with the system of separated powers established by the Constitution. As the federal government developed into a complex bureaucratic state, it was inevitable for Congress to intervene and participate in administrative decisions. Although in 1983 the Supreme Court struck down the legislative veto, Congress continues to use that device and others like it to control agency decisions (p. 396).

Some of the sections in the book may leave readers with incorrect impressions. The authors note that in 1952 the Supreme Court denied President Harry S. Truman the right to seize steel companies to prosecute the war in Korea. The Court said that in the framework of the Constitution the president's power to see that the laws are faithfully executed "refutes the idea that he is to be a lawmaker. The Constitution limits his functions in the law-making process to the recommending of laws he thinks wise and the vetoing of laws he thinks bad" (p. 341). Only Justices Hugo L. Black and William O. Douglas believed in such a narrow definition of presidential power. The three dissenters and the other four who wrote concurring opinions acknowledged that in times of emergency the president may exercise a broad assortment of inherent and implied powers.

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The authors say that the Court in *Ex parte Milligan* (1866) found that President Abraham Lincoln had acted unconstitutionally in establishing military commissions in areas where the civil courts were operating (p. 340). True, but that decision came after Lincoln was dead. The Court did not prevail over Lincoln when he was alive. Although a circuit court did hold against Lincoln in *Ex parte Merryman* (1861), the authors neglect to point out that Lincoln ignored the court order, and Chief Justice Roger Taney conceded that he was helpless in enforcing his judicial decision.

Similarly, the authors state that executive agreements are used increasingly as a substitute for treaties, "deliberately exclud[ing] the Congress" and done "without congressional approval" (p. 370). However, the great majority of executive agreements are specifically authorized by Congress, either by statute or by treaty. In a book of this size, these points are minor and do not detract significantly from a job extremely well done.

LOUIS FISHER
Congressional Research Service

Masters of War: Military Dissent and Politics in the Vietnam Era *by Robert Buzzanco. New York, Cambridge University Press, 1996. 386 pp. $29.95.*

No serious student of the Vietnam War can afford to miss this challenging and superbly researched book. Robert Buzzanco's principal purpose is to explicate the role of the military establishment in the American descent into what he describes throughout as a tragic and unwinnable war. He achieves that purpose masterfully. Buzzanco not only presents the most complete and nuanced account of the U.S. military's attitudes and actions toward Vietnam during the years 1950–1968, but he offers as well numerous provocative, and mostly persuasive, insights on a range of related topics. The Vietnam era decision-making process, civil-military relations, interservice rivalries, the ongoing debate about strategy and tactics—all receive careful scrutiny in this ambitious, wide-ranging monograph.

More than any previous scholar, Buzzanco makes clear the extent to which the various military services advised against direct U.S. involvement in the Indochina conflict prior to 1965. "Put simply," Buzzanco writes, "U.S. military leaders were wary of intervention in Vietnam from 1945 forward and, once committed there, were deeply divided over and offered candid and often pessimistic analyses of American prospects in the war" (p. 4). The author's analysis of the manifold reservations voiced throughout the 1950s and 1960s by uniformed military strategists constitutes one of this study's singular strengths. Buzzanco's respect for nuance and diversity, reflected in his division of military analysts into the five separate categories of dissenters, doubters, critics, politicos, and true believers, stands in stark contrast to the stereotype of a monolithic military drawn in far too many accounts of the Vietnam War.

The true architects of U.S. intervention were the civilian leaders of the John F. Kennedy and Lyndon B. Johnson administrations who, in the author's view, allowed political considerations and an obsession with the potential consequences of defeat in Vietnam to cloud their judgment. Many previous explorations of the Kennedy administration's escalation of the war depict a cautious JFK reluctantly acceding to the pleas of the Joint Chiefs of Staff for deeper U.S. involvement. Buzzanco reverses that relationship, arguing convincingly that the Joint Chiefs actually followed Kennedy's lead. They recommended escalation only because the

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president had already made clear his intentions and because they saw political advantages—in terms of status and budgets—flowing from a decision to fall in line. At the same time, they wanted to ensure that the White House, and not the military, would be held accountable for a commitment that could well result in crippling defeat.

The politically minded nature of all military recommendations concerning Vietnam forms this book's most speculative theme. Buzzanco argues that, faced from the beginning with the prospect of defeat hovering over an enterprise about which it had serious tactical and strategic misgivings, the military brass maneuvered to ensure that ultimate responsibility would always lay with civilian policy makers. Hence senior military officers after 1965 consistently requested more troops, expanded bombing raids, even a wider war, knowing full well that their civilian superiors would reject out of hand such politically risky counsel. They did so, Buzzanco contends, because they "seemed to be as concerned with maintaining power at home and with the way they would be judged after the war as with finding a way out of the conflict" (p. 350). This carefully constructed and eminently plausible explanation of military behavior probably rests too heavily on circumstantial evidence and inference to convince skeptics. There exists, as Buzzanco himself hints on a number of occasions, no "smoking gun" to provide conclusive support for so provocative a contention. For all the thoroughness of the author's research, the question of individual motivation remains frustratingly elusive.

That limitation aside, *Masters of War* stands as a substantial scholarly achievement. It adds immeasurably to our understanding of the Vietnam War and to the evolution of the modern U.S. military establishment.

ROBERT J. MCMAHON
University of Florida

The Cuban Missile Crisis: The Struggle Over Policy *by Roger Hilsman. Westport, CT, Praeger, 1996. 162 pp. $45.00.*

In 1967 Roger Hilsman published *To Move A Nation*, an insider's account of the foreign policy of the Kennedy administration refracted through the lens of the bureaucratic-politics model. The current work is little more than a restatement of the arguments of the earlier book concerning the Cuban missile crisis. Hilsman rehashes the intelligence story, with which he had some first-hand experience, describes the evolution of John F. Kennedy's crisis policy, and speculates about the Soviet motives behind the Cuban missile deployment and Nikita Khrushchev's reasons for agreeing to withdraw the missiles.

Hilsman alleges that his new book takes into account the wealth of new information about the missile crisis that has appeared in recent years. There are indeed some references to collections of American and Soviet documents, some of the first works based on them, and interviews with former officials. These references are largely window dressing. Hilsman makes infrequent use of newer primary and secondary sources, and then only to try to substantiate arguments he made in *To Move A Nation*. He ignores new evidence that contradicts those arguments. A case in point is his contention, repeated almost verbatim in the present book, that Khrushchev was able to proceed with the missile deployment because he had put together a coalition of major players (that is, the military, KGB, Politburo members concerned with the economy, hardliners, and apparatchiks), all of whose parochial interests could be

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advanced by the initiative (pp. 86–88). This interpretation is flatly contradicted by the oral and written testimony of Soviet officials—evidence that became publicly available between 1990 and 1994. Defense Minister Rodion Malinovsky and Vice Premier Anastas Mikoyan, among others, warned Khrushchev against the deployment; its only enthusiastic supporter was Marshal Sergei S. Biryuzov, chief of the Strategic Rocket Forces. Khrushchev had to put considerable pressure on members of the Politburo to sign off on the deployment.

Hilsman's account is wrong in other important respects. He repeats the long since discredited canard that Kennedy was annoyed that the Jupiter missiles were still in Turkey (p.129), and falsely claims (p. 13) that "there were no conceivable circumstances in which the Soviet Union would have taken even the tiniest risk of war with the United States to save Castro and a communist Cuba." On page 147, Hilsman contradicts this assertion by observing that "if the crisis had not been resolved when it was . . . events could have escalated until the United States launched an invasion. The Soviet troops were armed with battlefield nuclear weapons . . . and the commander had advance permission to use them against an invading force . . . . In such circumstances, the crisis could easily have spiraled out of control."

In 1967, in the absence of any evidence about the motives behind various Soviet decisions, it was reasonable to speculate about them. In 1996, with considerable evidence about those motives and about the course of Soviet policy making as well, arguments based entirely on speculation are inexcusable. For a serious student of the missile crisis, this book is a waste of time. For the more casual reader it will prove seriously misleading.

RICHARD NED LEBOW
The Ohio State University

Democratizing Mexico: Public Opinion and Electoral Choices *by Jorge I. Domínguez and James A. McCann. Baltimore, MD, The Johns Hopkins University Press, 1996. 269 pp. $45.00.*

Rebuilding the State: Mexico After Salinas *edited by Monica Serrano and Victor Bulmer-Thomas. London, The University of London Institute of Latin American Studies, 1996. 190 pp. $20.00.*

To the United States, the three most important political transitions now occurring are in Russia, China, and Mexico. The first two transitions will affect the balance of global power, but the third may be even more important to the United States. Instability in Mexico, with a population exceeding 90 million and a porous northern border, would probably precipitate a flood of refugees to California and Texas. If Mexico's economy failed, the American banking system would shake, and U.S. exports to its third largest market would tumble. If Mexico's political transition toward democracy fails, the effect on the United States would be grave.

Fortunately, Americans have several good roadmaps, especially the two volumes reviewed here, and a recent book, *The Mexican Shock*, by Jorge G. Casteñeda, to the complicated transition at work in Mexico. The volume edited by Serrano and Bulmer-Thomas includes thoughtful pieces by ten authors, almost all Mexican, on the political, constitutional, judicial, economic, and social dimensions of the transition. Each article deepens our understanding of a country that has long been opaque.

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What is remarkable is the degree of consensus among the authors of the two volumes. All believe that Mexico's authoritarian state is breaking down and a democratic transition is underway. All want Mexico to be democratic and agree that includes free elections and accountability. All believe that the economic reforms begun under President Miguel de la Madrid (1982–88) and accelerated under Carlos Salinas de Gortari (1988–94) are the tools of modernization, even though the country's adjustment has been painful.

Domínguez, a Harvard professor and probably the best student of Latin American politics in the Americas, has written a path-breaking volume with James McCann of Purdue. They understand very well that, notwithstanding the rhetoric of the U.S. and Mexican governments, Mexico is not a democracy today. Their central question is whether Mexico is capable of being democratic, and they look to the Mexican voter for the answer.

Three decades ago, Gabriel Almond and Sidney Verba concluded that Mexicans were authoritarian, and since then most students of Mexico have focused on the political system's unique qualities, beginning with the god-like power of the presidency. Domínguez and McCann use this literature as their point of departure, but they are not limited by it. Using election results and many surveys made during the last decade—signs of the progress of the Mexican polity—they find that Mexicans are gradually becoming democratic even though the political system remains authoritarian.

Elections had long been manipulated by the ruling party—the Institutional Revolutionary Party (PRI)—but since the very close and probably fraudulent presidential election in 1988, they have been taken more seriously by voters. The dominance of the PRI is no longer a sufficient explanation for the election results that have occurred since then, because the opposition has had its ups and downs. Domínguez and McCann explain the swings in the PRI's fortunes with a two-step model in which Mexicans first decide whether to back the PRI. Most support the PRI because of its experience and their desire for stability. Only those who don't choose the PRI go to the next step of deciding among a fragmented opposition. The authors' analysis suggests a shared responsibility for Mexico's dilemma: if the opposition had united, the PRI would have conceded more democracy and lost more elections.

At its base, the model assumes that the essence of democracy is not choosing leaders but deciding whether they should be replaced. Although using the Mexican case, their assumption merits a global test. The issue, of course, is accountability; and the authors show that the electoral reforms begun in the 1980s and expedited in the last two years of the Salinas administration have reduced fraud and enhanced political competition, although vestiges of authoritarianism remain and are occasionally decisive. Even the president's decisions to replace those PRI governors whose election was disputed is done in a way that reinforces the image of state power and the impotence of the ballot box.

The Serrano-Bulmer-Thomas volume contains nine excellent analyses of different dimensions of the political and economic transition. Juan Molinar delves into the electoral reforms and provides substantial evidence to confirm that the reforms were serious if not conclusive and provide the foundation for democracy.

Carlos Elizondo, a brilliant young researcher, answers the enigmatic question of why the economic reforms have not unleashed democracy. The reforms, he shows, increased the autonomy of the economic market, but did not contain the power of the elite. In an earlier study of the Mexican constitution, Elizondo found the source of Mexican authoritarianism in the uncertain protection of property rights and the president's unchecked power.

Domínguez and McCann's book sheds light not only on Mexico but on the subject of how an authoritarian mind-set can be transformed and, by doing so, change the system. It also shows the short-term benefits for the PRI of fraud and corruption and the long-term

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costs in eroding voter participation and support for the government. The Serrano-Bulmer Thomas book is brimming with insights on each of the facets of the economic, political, and social transition. Together, the books provide valuable landmarks to help readers better understand the Mexican landscape.

ROBERT A. PASTOR
Emory University and The Carter Center

American Presidential Elections: Process, Policy, and Political Change *edited by Harvey L. Schantz. Albany, State University of New York Press, 1996. 258 pp. Paper, $19.95.*

Was the 1992 presidential election unique compared with the fifty-one elections that preceded it, or was it simply another chapter in an unfolding electoral story? Harvey L. Schantz and his collaborators suggest that the latter was the case. While 1992 demonstrated peculiar characteristics, such as a lack of confidence in the incumbent party, it was consistent with previous elections and emphasized the limitations of elections as agents of political change.

To determine 1992's place in presidential election history, Schantz poses three questions: Are elections discrete events, or are there patterns among them? Do elections vary in importance? And what is the relationship between presidential elections and parties, public policy, and society? It is the answers the authors produce in this longitudinal perspective, rather than the questions posed, that make the work useful for consumers of the presidency, elections, and policy change.

Perhaps the most provocative, and controversial, question is the last. Was the 1992 Clinton triumph, the ascendancy of a "New" Democrat to the White House, an endorsement of elections as major vehicles of policy change? Analyzing four lawmaking surges, beginning with the Civil War and Reconstruction era and concluding with an era begun by President Lyndon Johnson's Great Society, David R. Mayhew argues that political scientists often make too much of elections. "They play a role but not as consequentially or frequently as we imagine" (p. 179). Elections, in conjunction with parties, the economy, and public mood swings, explain legislative surges.

What is more certain is that some elections are more important than others. Nominations in 1824 and 1968, and general elections in 1800 and 1972, had a profound impact on electoral procedures. Other general elections, such as those in 1952 and 1980, introduced policy changes, while still other elections, such as 1992, induced an executive party turnover.

Returning to Schantz's first question, it is apparent that election-specific events exist amid consistent electoral patterns. Ross Perot's 19 percent vote in 1992 was the third highest vote for a third-place finisher in American presidential election history, behind two former presidents—Teddy Roosevelt's 23 percent in 1912 and Millard Fillmore's 22 percent in 1856. The ubiquitous situational and strategic factors that Milton C. Cummings, Jr. describes favored the Democrats in 1992, allowing them to follow Downsian logic to the center of the ideological continuum.

Even with a number of provocative contributions, including Schantz's examination of sectional presidential electoral patterns, the work suffers from the absence of a clear focus and unifying theme. The three lead questions are unaccompanied by a rigorous theoretical model, jeopardizing the work's noteworthy contribution. The conclusions, similarly, suffer from a lack of theoretical elegance. What came before is regurgitated absent an agenda for

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future research. This lack of continuity also surfaces in contrasting views of the role parties now play in presidential nominations. Using the 1992 example, Gerald M. Pomper suggests that the party hierarchy has become more influential in national leadership selection. Everett Carll Ladd, conversely, views the parties as devoid of a dominant influence in presidential nominations. According to Ladd, candidates use the media and their base of delegate support to win conventions run only organizationally by the national parties.

Despite these reservations, the work should find a home in advanced undergraduate and graduate seminars. Schantz's opening chapter on the presidential election system is clear, pithy, and informative. Scholars of presidential elections in a longitudinal perspective will also find the work helpful in generating feasible research questions.

JEFFREY S. WALZ
Wheaton College

Presidents and the Presidency *by Stephen Hess. Washington, DC, The Brookings Institution, 1996. 148 pp. $24.95.*

Published, along with *News & Newsmaking*, to mark Stephen Hess's silver anniversary as a senior fellow at Brookings, this slim volume comprises an introductory essay and sixteen pieces that originally appeared during the 1970s and 1980s, ten in books (mostly published by Brookings) or journals, six in newspapers. Some essays have been revised over the years, but they have not been reworked for this collection. One regrets that the documentation formerly buttressing most of the essays has been deleted, especially because, a few references to presidential scholars and their works aside, the volume contains no bibliography or extended discussion of recent scholarship in the field, which might well have stimulated the very "wider audience" (p. xii) for which footnotes were excised.

"Introduction: My Presidency," fine if too brief (8 pp.), sheds revealing light on the author and the essays that follow. Hess well understands that Franklin D. Roosevelt defined Hess's and his generation's presidency, a point with which the reviewer (who unlike the author failed to see FDR that wet, chill October 1944 day in New York City) fully agrees. He remains an optimist with regard to the presidency and its possibilities, though understandably not with all our presidents during the 1960s–1990s. Finally, Hess explains that he chose articles for the collection on the basis of whether they still illuminate the presidency or particular presidents.

Two basic characteristics of the essays give some cause for concern, the first (already noted) their lack of documentation, the other their brevity. All but one of those originally appearing in newspapers run only three pages, the exception four. Pieces of scholarly provenance range from six to seventeen pages, averaging eleven. The journalistic pieces, all of which date 1978–1980, address immediate and important public concerns during a brief period. Although Hess's style and historical sense make the columns worthwhile reading today, one wonders whether the educated public of 1997 possesses sufficient interest in, let alone knowledge of, the earlier period to benefit therefrom. The scholarly essays, which range from the general to the specific, are so clearly written and thoughtfully argued that general readers will gain valuable insights into contemporary presidential politics and the presidency. Scholars will find neither methodological innovation nor findings new to them, but they will surely be reminded of how much can be said, and said well, in admittedly brief pieces by a reflective, mature scholar with practical political experience.

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Hess's continued optimism regarding the presidency and his consequent belief in "fine-tuning," or that which he says Charles Kranthammer terms "the structural fix," may carry him too far. Preventing "reform" errors is one thing, repealing one amendment and adopting a second to achieve fundamental reforms another. Further, although indicting the decline of our political parties for causing problems for the presidency is no less important for being obvious, terming the revitalization of those parties "a fertile area for fine-tuning" strikes me as Panglossian. At best, cardiopulmonary resuscitation is needed.

A small number of minor slips will likely distract readers of *Presidents and the Presidency*, among them a confusing paragraph on campaigns and voter turnout (p. 72) and a sentence fragment (p. 82). William Jennings Bryan relied on the railroad network, not on "the transcontinental railroad," in 1896; John Morrissey represented a congressional district in New York City, not upstate New York; no Pentagon existed during Harry Woodring's secretaryship of war (pp. 38, 40, 109).

Caveats to the contrary notwithstanding, Hess's essays generally make as rewarding reading today as when first published. They pass with honors their author's test of "survivability".

SAMUEL T. MCSEVENEY
Vanderbilt University

The End of the Republican Era *by Theodore J. Lowi. Norman, University of Oklahoma Press, 1995. 275 pp. Cloth, $22.95; paper, $13.95.*

This is the sequel to Lowi's most influential book, *The End of Liberalism*, first published in 1969, and revised in 1979. Lowi's latest requiem for liberalism in America, originally delivered in 1991 as the Julian Rothbaum lectures at the University of Oklahoma's Carl Albert Congressional Research Center, continues most of his familiar themes. The chief new ingredient is the perspective added by experiencing what Lowi calls the nation's first genuinely conservative regime under Ronald Reagan.

According to Lowi, the historic absence of a viable Left tradition in America reduced the ideological field to two options: liberalism and the Right. Like all ideologies, these two carried the seeds of their own destruction in the form of inner contradictions. The Right included both traditional, patrician conservatives and anti-elite populists. Inherently parochial, conservatives of both kinds busied themselves for generations with local agendas, including government policing of community morality (which liberals despised). The Right thus defaulted national leadership to the liberals, whose first republic lasted so long (from the founding to 1933) that modern scholars mistakenly presumed liberalism to be the *only* American ideology.

Liberalism, the ideology of the western bourgeoisie, valued individualism and the sanctity of property and contract, and resisted state authority and public regulation of morality. Franklin Roosevelt, in a brazen *coup de main*, stole the liberal label and began under the New Deal to build the centralized state that liberals deplored. By the 1960s this shift had brought the second republic. Its ideology was New Liberalism, differing from the old chiefly by embracing a statism that classic liberalism feared. The second republic was characterized by collapsed constraints of federalism, accompanied by a binge of social regulation in the 1960s and 1970s (new liberal regimes were bipartisan—Lyndon Johnson, Richard Nixon,

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Gerald Ford, Jimmy Carter). Lacking self-restraint, fueled by an ever-expanding "rights revolution" and by the insatiable demands of organized clienteles, the second republic decayed from within. This in turn invited counterrevolution from the Reagan-led Right. In light of the continued appetites of interest-group liberalism in the 1990s and the self-destructive tendencies of the Right, predictions of an end of the Republican era seem premature.

Lowi, characterizing himself as a "Jewish liberal cultural relativist" (p. 238), deplores the true believers of any ideology. His style is didactic and discursive, often fresh and insightful but too often reductionist and rambling as well. He is quick to identify opponents and their errors—behavioralists, Straussians, rational choice theorists, law professors, schools of public policy, misguided writers (Louis Hartz, Daniel Bell, Alan Bloom, Stephen Carter, Michael Kinsley).

Here, as in 1969 and 1979, Lowi calls for a third liberal republic. Its chastened liberalism would somehow be purged of the second republic's corrupting delegations of authority by irresponsible legislators to a network of agency bureaucrats, judges, and interest-group advocates in an endless scramble for rights-based entitlements. Such a republic, like all ideologically driven regimes, is doomed to consume itself.

Lowi pays his respects to Reagan's masterful feat of nationalizing the parochial conservatives, stigmatizing second republic liberals as leftists (an absurdity in European eyes), and keeping in coalition harness conservatism's antagonistic battalions of Taftian traditionalists and evangelical populists. But Lowi wants no part of the Right's state enforcement of religious-based morality.

Like Jeremiah, Lowi prophesies the end of self-destructing regimes and identifies their fatal flaws. In *The End of Liberalism*, he proposed a rather murky remedy called "juridical democracy," and was hammered in some reviews for wishing to return to the *Schechter* rule of the Four Horsemen of 1935. In this book he reaffirms the spirit of that plea, but provides no blueprint for reform. Mainstream political science, not accustomed to the grand scale and old-fashioned didacticism of Lowi's style, is nonetheless richer for his engaging jeremiads.

HUGH DAVIS GRAHAM
Vanderbilt University

Turning Points in Social Security: From "Cruel Hoax" to "Sacred Entitlement" *by Sheryl R. Tynes. Stanford, CA, Stanford University Press, 1996. 253 pp. $39.50.*

Everyone concedes the importance of Social Security, yet few are interested in writing about it. Our largest social program has not even inspired a general history tracing its development since 1935. It is therefore encouraging that Sheryl Tynes seeks to account for the entire sweep of the program. She identifies certain events, such as laws passed in 1950 and 1977, as turning points and attempts to explain why they occurred.

She rejects a pluralist model out of hand. This view, she argues, ignores the "unique perspectives and interests" (p. 199) of state actors. But her notion of what motivates public policy does not rely entirely on the autonomy of the state. Instead, she concentrates on "specific organizational actors" (p. 194)—real organizations, such as the American Federation of Labor (AFL), not sociological abstractions, like "labor"—and on the "unique effects of different economic and political contexts" (p. 193). In other words, she makes the perfectly reasonable case that one cannot apply a simple instrumentalist or structuralist model to Social

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Security: Circumstances change over time, and neither business nor labor has consistently gained the upper hand.

Tynes's tolerant approach permits us to gain a well-nuanced view of Social Security's development. Social Security was not an inevitable triumph. It endured a period of political peril, in which it competed unsuccessfully with welfare to become America's major form of social provision, before it triumphed in 1950 and emerged as America's most popular social program. In 1972 a painful transition began that required major program adjustments in 1977 and 1983. Today Social Security has lost its golden halo, and people worry about its long-term viability. At the same time, its previous successes insure that it cannot be abandoned easily.

Although Tynes tells this story, she does so indirectly. Those versed in Social Security's history will find her book sophisticated and insightful. Novices may, however, get lost in the often truncated account of the program's development. She never provides a satisfying chronological account of developments in the 1950s, for example.

I think the difficulty lies in her selective use of archival sources. Archives are vital to the study of legislative influence because they permit the researcher to see inside an organization and to gain a better sense of its motives and strategy. Tynes has consulted the records of the Social Security Administration in the National Archives but, so far as I can tell, only for the period between 1935 and 1950. Hence, she bases her account of the later years on sources that are not quite as useful.

Tynes explicates the role of organizations in a masterful way, yet she neglects the role of individuals. Robert Ball, a key bureaucrat, does not appear in the book. By omitting him, the author misses a chance to identify similarities between his roles in the passage of the 1950 and 1983 amendments. In other words, attention to individual actors uncovers new sources of continuity across very different historical eras and therefore reveals new historical patterns. Not to put too fine a point on it, individuals matter as much as the organizations they represent. Wilbur Mills's role in the program, to cite another example, goes far toward explaining the passage of Medicare in 1965 and not in 1964. Hence, a key Social Security law appeared in a nonelection year, a significant exception to the general pattern that prevailed between 1950 and 1972.

All of which is to say that his book is not the general history of Social Security for which I have been waiting. Tynes has, however, written a very useful monograph that illuminates historical continuities in the program and that delineates the role of key organizational actors in the program's development.

EDWARD D. BERKOWITZ
George Washington University

The War Against the Poor: The Underclass and Anti-Poverty Policy *by Herbert Gans. New York, Basic Books, 1995. 195 pp. $22.00.*

After a brief skirmish against poverty in the 1960s, America turned to waging a full-scale war against the poor in the 1980s, with the notion of "underclass" as its chief intellectual weapon of assault. In this lean and lucid book, which brings together and extends a series of influential articles, the country's premier social critic conclusively demonstrates how the term has served to "stereotype, stigmatize and harass the poor by questioning their morality

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and their values," in effect transforming them into "scapegoats onto whom the better-off population can displace" broader social anxieties and conflicts (pp. 1 and 131).

Gans patiently traces the origins, spread, and popular uses of the label "underclass." Earlier this century, the undeserving poor came under the umbrella of "feeblemindedness" (popularized by psychologist Henry Goddard) and "the culture of poverty" (famously devised by anthropologist Oscar Lewis). When it was coined by Swedish economist Gunnar Myrdal in 1963, the under-class denoted a segment of the working class marginalized by deindustrialization. But in the late 1970s the term mutated into a racial as well as behavioral designation: at the hands of journalists and policy pundits, it became a code word for poor urban blacks who threaten America's integrity with their alleged antisocial conduct (pell-mell: educational failure, crime, joblessness, female-headed families, teenage pregnancy, etc.).

Using data from Nexis, Gans maps out the dissemination of the underclass label in the main national newspapers and magazines. Yet it is social scientists who legitimated its deployment with the support of philanthropic foundations, major research institutes, and civic associations such as Rockefeller, the Social Science Research Council, and the Urban League. Gans suggests that the imagery of the underclass became popular because it resonated with the growing visibility of the destitute and an incipient crisis of social control in the city. He goes on to list thirteen social, economic, normative, and political functions served by the undeserving poor, from supplying objects of revenge and creating job opportunities for poverty-related professions to reinforcing dominant values. And he closes with a discussion of two sets of public policies, the one aimed at reducing poverty and the stigma of undeservingness, and the other directed at checking the scourge of joblessness in the next century.

Gans's critique is efficacious, and its main implications—that academics and journalists have a major responsibility in putting out a moral panic they started and that only broad federal policies designed to significantly equalize life chances can make a dent in the underlying problems the latter hides—urgently need to be heeded, never more so than in the wake of a "welfare reform" that has enshrined the underclass stereotype into law. But it does not go far enough, and it is ultimately disappointing for three reasons.

First, forgetting Claude Lévi-Strauss's advice that all versions of a myth be examined together on a plane of epistemic equality, Gans inexplicably excludes from his inquiry usages of the underclass that are not strictly behavioristic. But the sociological elaborations of liberal social scientists such as William Julius Wilson, Christopher Jencks, and Douglas Massey cannot be so neatly demarcated from the economic and journalistic portrayals that crosscut and draw upon them. For they partake of the *same discursive formation*: the "good" and the "bad" uses of underclass are organically tied. By artificially separating them and sparing his close colleagues, Gans destroys the one property that makes the underclass label so potent: its ability to navigate across the boundaries within and amongst science, journalism, and politics and to mean different things to different people.

Second, the book hesitates between a study of discourse and a sociology of the intrication between media, public policy, and social science, with the result that neither text nor context is dissected with the degree of depth and detail required to reconstruct their subterranean connections (and that one expects based on Gans's previous investigations). Third and last, to specify the functions of the discourse of undeservingness is not the same as to uncover its causes and conditions of efficacy. Here Gans would have been better served by bringing in a cross-national perspective to throw light on the peculiarities of the U.S. tradition of scapegoating the poor, and its roots in the puritanism and radical individualism of American culture.

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In the end, then, Gans's critique is less powerful than it could have been for lack of encompassing the full politics of social knowledge and realistic means for moving America beyond its persistently punitive attitude toward the poor.

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Casting Her Own Shadow: Eleanor Roosevelt and the Shaping of Postwar Liberalism
by Allida M. Black. New York, Columbia University Press, 1996. 298 pp. $29.95.

This is a compellingly interesting study, which sheds light on the career of Eleanor Roosevelt, or ER, as the author generally refers to her, as well as on the history of the Democratic party. Though Black makes no effort to conceal her enormous admiration for her subject, an admiration which conservatives might reject, the documentation of her point of view is so very full that the historical record should stand regardless of ideology. She is deeply read in the primary and secondary literature, as well as in newspaper and manuscript sources. This is excellent scholarship and it is clearly written.

Black has a thesis to argue. ER was much more than the "den mother" of the Democratic party, as she was often called. As is well known, she was an idealist, but one with a Machiavellian streak, though this is not Black's term. To Black she was a "consummate liberal power broker" (p. 3).

The study begins with the often told story of ER's efforts to keep Franklin D. Roosevelt to the left of the political spectrum. She was clearly the more ideologically consistent of the two partners and worked hard to protect the domestic agenda of the New Deal even in wartime. But the bulk of the account deals with her efforts to do the same with the postwar leadership of her party. Of course she was aided in this by bearing her husband's name, but Black shows that in spite of being reviled by her enemies in the most scurrilous terms, she had her own power base and that her newspaper column was a very effective outlet for her views.

In the post–New Deal years, ER was deeply interested in keeping President Harry S. Truman on the ideological straight and narrow with respect to wage and employment policy, while in the end having to put aside her natural sympathy for Henry Wallace when he moved too far to the left. In the 1950s she became a critic of vital center liberalism as she fought against Richard Nixon and McCarthyism. At the same time she became a progressively stronger champion of black civil rights—a position which regularly placed her in the vanguard of the Democratic party. Later in the decade she watched the rise of John F. Kennedy with considerable unease. Kennedy failed to recognize his need for her support until it was almost too late, as ER tried to overcome the Hamlet-like tendencies of Adlai Stevenson and induce him to make another presidential bid. In the end she gave Kennedy her somewhat grudging support both as candidate and as president.

There are few serious criticisms to make of this book. Sometimes the focus is a little narrowly aimed at domestic affairs. For instance, there is virtually nothing about ER's work with the United Nations. Moreover, the reader who wants to learn more about Henry Wallace's loss of her support in 1948 will have to turn to histories of his Progressive party. More important is the absence of an attempt to tie ER's views together into a consistent theory of

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liberal politics. This should be possible, and her ability to hold to her principles while realistically bringing all her power to bear is a rare quality. Though ER was no political theorist, this could be very valuable even today when her successors—if there are any—seem to be wandering aimlessly in the wilderness.

JAMES P. YOUNG
University of Michigan

The Rise and Fall of Development Theory *by Colin Leys. Bloomington, Indiana University Press, 1996. 205 pp. Cloth, $35.00; paper, $14.95.*

Over the last quarter century, Colin Leys has been one of the most brilliant and influential minds and lucid pens applied to critical development theory, particularly relating to Africa. He has thus amply earned the right to collect a number of his most seminal essays published over the last two decades, and add to them three original chapters reflecting his current thinking. He may be readily forgiven for the inevitable repetition which such an exercise entails; the evolution of his thinking over this period mirrors the dramatically changing context shaping debates over development.

Leys clearly positions himself on the left end of the theoretical spectrum. Although he never encloses his thinking in a doctrinal Marxism which requires that any position be justified as consistent with the sacred texts, his perspective is *marxisant*.His theoretical landscape is populated on the one hand by fraternal sparring partners, with whom his differences are pursued in amicable terms (dependency theorists, neomarxists, and other progressive thinkers), and on the other by a bestiary of hostile conceptual adversaries (neoliberals, international financial institutions, Samuel Huntington, rational choice theorists, American social science more broadly), objects of asperic commentary.

Included in the collection are his influential 1977 essay identifying some of the weaknesses in dependency theory; critiques of the work of Huntington, Robert Bates, and Douglass North; his seminal 1982 *Daedalus* article taking stock of the then-emergent African development crisis before the ascendancy of neoliberal orthodoxy and structural adjustment; a fascinating review of the "Kenya debate" on the nature, possibilities and limitations of African capitalism; and important new essays on the current prospects for an African capitalist class, and the "fall" of development theory in the face of a triumphant neoliberalism and marginalization of much of Africa in a globalized political economy.

The most interesting and novel argument is found in the opening chapter. The new Leys thesis is that, with the disappearance of "really existing socialism," the virtual end of any regulation of international capital flows, and far-reaching state retrenchment through imposed structural adjustment, the inarticulate major premise of development theory vanishes—the existence of national economies subject to effective state planning and management. "The era of national economies and national economic strategies is past—for the time being, at least," writes Leys. "With capital free to move where it wishes, no state (and least of all a small poor one) can pursue any economic policy that the owners of capital seriously dislike" (p. 23). The consequences for Africa are catastrophic. In response, a wholly new approach to development theorizing is necessary, conceived on the scale of the world political economy.

There is much to be said for this thesis. Nonetheless, the Left (if an alternative to development thinking in Africa beyond neoliberalism is to emerge) needs to engage in a

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more systematic critical reflection on the limitations of its own past assumptions about national economic planning than is encountered here. In any number of instances, intellectuals of the Left played an important part in defining development strategies (Mali, Guinea, Tanzania, Mozambique, for example) based upon "socialist orientation." The performance of these states does not win confidence for their prescriptions. At the moment, with the disappearance of socialism, real or imagined, only utopian populism stands as competitor to neoliberalism.

This reservation notwithstanding, this important volume deserves a place on every bookshelf of those concerned with African development and on every required reading list for courses on this subject.

M. CRAWFORD YOUNG
University of Wisconsin-Madison

Funding the Modern American State, 1941-1995 *edited by W. Elliot Brownlee. New York, Woodrow Wilson Center Press and Cambridge University Press, 1996. 467 pp. $59.95.*

Eight essays examine momentous changes in federal taxation. Pre-World War II events are described with intelligent interpretation by W. Elliot Brownlee; the Great Depression led to large increases in income tax rates and to other New Deal actions that rested on what in retrospect seems a sadly unsatisfactory understanding of economics.

The war required vast increases in funds. The administration pressed to make the income tax a mass levy, rejecting proposals for a broad-based consumption tax. Carolyn Jones describes how leaders—executive branch and congressional—got wartime acceptance of a massive extension of federal taxation, including withholding. To get public approval of a postwar income tax at high rates, the Truman treasury used techniques developed by specialists in public relations; some reforms were made, for example, income splitting for married couples.

"Social Security and the Financing of the American State" by Edward O. Berkowitz sketches a history that has significance for today's problems. Knowing how decisions were made in the past will indicate that they are not necessarily the best that can be made for the future.

The longest essay, "The Fiscal Revolution in America, 1964–1994, Part II" (95 pages) by Herbert Stein extends the work that he has done for half a century. He draws upon unmatched experience at the center of discussion and action, including years at the president's Council of Economic Advisers. He is not partisan, not dogmatic—except perhaps in his insistence that our knowledge is incomplete.

The interrelations of elements of the economy, Stein shows, make for a more complex reality than embodied in the models economists use. Monetary factors affect responses to fiscal actions. The record in recent years has been good, but we hope for better (as good as at times in the past). The best economic analysis today cannot provide the assurance that characterized the often erroneous statements of the 1960s. The sophistication of the analysis plus the evidence, selected with the informed discrimination of an expert, combine to make this discussion more than a scholarly account of the past; it also provides guidance for looking at the future.

"Learning the Ways and Means: Wilbur Mills and a Fiscal Community, 1954–1964" by Julian E. Zelizer deals with legislative history. It tells how Mills built his power, how he worked to get consensus, and how his understanding of the role of taxation developed.

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"Business" as a collective noun can imply a unity not warranted by reality, as perhaps in the title of the chapter by Cathie Jo Martin, "American Business and the Taxing State: Alliances for Growth in the Postwar Period." Business leaders were by no means unanimous in their advocacy: large and small, manufacturing and retailing, exporting and importing, finance and agriculture—these and other contrasts account for different pressures. Spokesmen would identify the national interest with their own. But "economic ideas and broad growth strategies influence the expression of corporate interests" (p. 404). There is not yet an end of "abuses of corporate power" (p. 405) but flexibility and demand for "concessions to their self-interests in exchange for support . . . ." (p. 405). Businesses have increased their institutional capacity to deal with the technical expertise of the civil service, think tanks, and each other.

C. Eugene Steuerle draws upon experience as a key treasury official in "Financing the American State at the Turn of the Century." "From easy financing to fiscal straitjacket has been the course of the last half century" (p. 443). For the long term, significant additional financing must depend upon economic growth. But some directional changes within essentially the existing structure—notably restrictions on the built-in growth of programs—"are capable of working the nation out of its current fiscal straitjacket within a few years" (p. 443).

These scholarly essays are well documented and objective. They draw upon such unpublished sources as internal memoranda, minutes of meetings, correspondence, oral history, and other archival materials. As one whose professional life embraced this history, I know that this volume will serve as a valuable source of information about events of great importance.

C. LOWELL HARRISS
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Robert Schalkenbach Foundation, Inc.

Wrong for all the Right Reasons: How White Liberals Have Been Undone by Race *by Gordon MacInnes. New York, New York University Press, 1996. 236 pp. $21.95.*

Gordon MacInnes, a New Jersey state senator and a self-declared fiscal conservative who previously worked as a Democratic party operative, presents a critique of liberal policies and politics from 1964 to the present. Beginning with the liberal response to Daniel Patrick Moynihan's 1965 Department of Labor report, "The Negro Family: The Case for National Action," the author traces what he sees as progressive forces' "wrong turn on racial issues" (p. xiv). Intimidated by "the Left and professional blacks'" attack on Moynihan and others, liberals withdrew from the public debate over race, urban problems, and social issues, generally leaving the battleground to an emerging social conservative ideology and politics (p. 45, 63). The white liberal–black relationship, however, was not based on "mutual interest—but disrespect" as white liberals patronized blacks (p.104).

MacInnes found that "liberal," a proud label from the 1930s to the 1960s, became one of derision as liberals "stopped thinking and talking sensibly about issues freighted by race" (p. 145); this also impaired their credibility on issues of economic prosperity and access for all Americans to middle-class opportunities. Repeatedly from 1965 on, liberals proposed programs that departed from America's civic culture and the findings of such disparate "progressives" as Moynihan, Kenneth Clark (*Dark Ghetto*), Michael Harrington (*The Other America*), Edward Banfield (*The Unheavenly City*), and William Julius Wilson (*The Declining*

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Significance of Race). The ill-advised liberal programs, studies, and concepts included an equally diverse collection: the Great Society, the Kerner commission, George McGovern's party reforms and 1972 platform, affirmative-action programs, racial quotas, multiculturalism, Afrocentrism and cultural diversity. Most important, MacInnes condemned liberals' failures to heed Moynihan's warnings about the lower class and to recognize crime as a major concern; these problems he blames directly on the poor's behavior, especially poor African-Americans.

While the book focuses on the excesses and weaknesses of liberalism, MacInnes provides a solid analytical chapter, "The High Costs of Conservative Rule." He is especially effective detailing the foolishness of supply-side economics and the Republican war on the public sector, especially public school privatization.

Three final chapters lay out MacInnes's vision for rebuilding a progressive agenda which includes "the four crucial issues liberals have failed to address carefully and respectfully—race preferences, white resentment, the black family, and lower-class behavior" (p. 153). In addition, he urges integration over multiculturalism, viewing the latter as racial and ethnic nationalism. While supporting greater public sector investment, measures to end discrimination, and the use of race neutral programs, MacInnes believes that progressives must emphasize two-parent families, a work ethic, and family responsibility.

Although a well-focused polemic, the book has serious problems. MacInnes uses "liberal" so loosely that it has no real meaning; the term becomes a strawman on which to blame practically everything. He provides little evidence that the "left and professional blacks" intimidated liberals or anyone else and accepts uncritically the work of Moynihan, Banfield and others while dismissing their critics (a literature Herbert Gans and Michael B. Katz have analyzed). There are serious factual errors including misdating the black voting shift to the Democratic party. MacInnes ignores the period's massive economic changes, which eliminated many well-paid industrial and white-collar jobs that helped many escape poverty. Thus he blames the victims of these changes for their aberrant behavior while ignoring the conditions that created their plight. He blames liberals for the shift to conservatism but ignores the massive new immigration that undercut the labor force and led to the increased racism and nativism which aided the conservative emergence. While his proposals are often reasonable, he fails to understand the power of racism as a dividing factor and the roles that race, ethnicity, gender, and class play and have played in American history.

JAMES BORCHERT
Cleveland State University

Liberalism's Crooked Circle: Letters to Adam Michnik *by Ira Katznelson. Princeton, NJ, Princeton University Press, 1996. 192 pp. $19.95.*

Ira Katznelson's thoughtful and eminently readable contribution to debates about the future of liberalism examines two important questions. First, does liberalism possess sufficient inherent intellectual resources to guarantee an adequate measure of social and economic justice? Second, is liberalism up to the task of grappling with the dictates of a profoundly pluralistic political universe?

Those familiar with Katznelson's previous scholarship in American and comparative politics will be unsurprised by his answer to the first question: he argues for a synthesis of

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the most progressive elements of political liberalism with the strengths of the socialist critique of capitalism. Although cognizant that this intellectual endeavour is by no means novel, he argues forcefully for its contemporary relevance. In the context of the growing influence of attempts to reduce liberalism to little more than an appendage of free-market capitalism, Katznelson insists that liberal democracies must learn from the socialist tradition if they are to succeed in gaining political stability in a world racked by massive economic inequalities. For him, "only a socialism that does not challenge liberalism's constitutional imperatives and only a liberalism capable of rectifying capitalist inequality" can generate a normatively appealing political agenda able to secure a humane, social-democratic polity (p. 23). Katznelson suggests that this lesson has relevance everywhere, particularly in Eastern Europe, where the shadow of Friedrich Hayek looms large and even the most humane elements of the socialist tradition have been utterly discredited.

Katznelson's project is a puissant one. In the present intellectual climate, his forthright reformulation of socialist anxieties about capitalism serves as a refreshing reminder of familiar lessons that seem to have become unfamiliar to many both in the academy and outside it. Nonetheless, his basic argument remains tension-ridden. Notwithstanding his insistence that liberalism is intellectually insufficient to offer an adequate critique of capitalism (pp. 42–53), he tends to borrow as much from the liberal tradition as from socialists when defending his egalitarian views (pp. 78–80, 82–4). One might very well interpret Katznelson's account in a different light than the author himself does, namely as a demonstration of the intellectual *adequacy* of liberalism for defending social democracy. In light of the author's intelligent but relatively modest gloss on the lasting legacy of socialism, this is not surprising. As Katznelson is aware, political liberalism and the welfare state have long been allies. Those on Katznelson's left are likely to feel that his synthesis of liberalism and socialism rests on an abandonment of too much of the traditional socialist critique of capitalism; those to his right will wonder whether he has really demonstrated that liberalism needs socialism. Paradoxically, both sides may be right.

In a free-wheeling response to the second question, Katznelson argues that liberalism can only provide an adequate place for the recognition of difference by distancing itself from authors like John Stuart Mill and John Rawls (allegedly representative of a "purified, hygienic liberalism") and paying closer attention to John Locke and Isaiah Berlin (p. 108). Once again, Katznelson's argument is provocative. In particular, his highly sympathetic account of Locke is sure to surprise many. But I suspect that Katznelson is likely to leave some unsatisfied as well. He may be right to argue that liberalism needs to be both more historical-minded and more institutionally astute than it has been. But are Locke and Berlin the best place to turn to overcome these flaws? At times, the author's account simply moves too fast, pointing to potential problems within a host of liberal (and nonliberal) theories but never fully explicating them.

WILLIAM E. SCHEUERMAN
University of Pittsburgh

Cornerstones of Peace: Jewish Identity Politics and Democratic Theory *by Maria Brettschneider. New Brunswick, NJ, Rutgers University Press, 1996. 201 pp. Cloth, $48.00; paper, $16.95.*

On one level this is a study of the legitimization of public criticism of Israel among American Jews since the late 1970s. On quite another level, it is "a new vision of politics" (p. 12) that

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uses Jewish communal politics to illustrate a shift from an outmoded Liberalism (with a capital "L") to an emerging multicultural and communitarian democracy. All this is done in roughly one hundred pages of text, plus another thirty pages of footnotes (which contain many of the interesting points and might well have been integrated into the text). Given such brevity, Brettschneider goes amazingly far toward fulfilling her daunting mission; theory and case are skillfully interwoven to present a coherent and well stated, if not always compelling, argument.

Brettschneider posits a liberal democratic tradition, from Thomas Hobbes through James Madison to modern democratic theorists, based on pessimism, an atomistic view of society, the commodification of human needs, and a hegemonic, either-or view of differences that leaves a closed public space and "no room for deep change" (p. 75). Essentially, this is a zero-sum view of conflict, a Hobbesian universe with no rewards for cooperation. Opposed to this is an alternative tradition, from Jean-Jacques Rosseau through Karl Marx to contemporary multicultural theorists, with true diversity, communitarianism, and dialectic change.

Few modern democratic theorists, presumably, would agree that their thinking is zero-sum. However, it is not necessary to agree with Brettschneider on this in order to recognize that promotion of an either-or frame of mind has played a role in American Jewish attitudes toward Israel. Strong public criticism of Israel was actively discouraged by mainstream Jewish leadership during the first decades after the state's establishment. As the author documents, this has lessened significantly within the last fifteen years, and there is now broader acceptance of public criticism of Israel. Brettschneider draws on internal documents, interviews, and personal experience to register initial hostility to, and eventually cooperation with, dovish Jewish organizations such as Breira, Americans for Peace Now, New Israel Fund, and Project Nishma.

There are, however, some problems with this particular case study as an illustration of Brettschneider's general thesis. In the first place, other observers of Jewish debates during the 1980s may not remember a "silencing" of anti-Israel dissent as monolithic as that portrayed here. The difference between public and private criticism was important; while the former was indeed often discouraged, disagreement within even the most official Jewish circles was often intense. In addition, though not all in the Jewish community were sensitive to the difference, Jewish leaders were usually able to distinguish between criticism of particular Israeli policies and criticism of Israel as a state.

Second, the weight of situational factors in the evolution of Jewish attitudes deserves more attention. Public criticism of Israel by mainstream American Jewish organizations was relatively rare before the late 1970s, in part because Israeli policies were by and large noncontroversial. U.S. Jewish opinion on Arab-Israeli issues duplicates the range of views in Israel itself, with the entire spectrum shifted somewhat in the leftist, dovish direction. Before the Likud victory of 1977, the vast majority of American Jews had no problem with the "classic consensus" of a Labor Zionist–led Israel; after that, and especially during the Lebanese invasion and the *intifada* (uprising) of the late 1980s, American Jews – like Israelis – were much more deeply divided.

Finally, in a reference to diversity in Jewish opinion *before* the period of pro-Israel unity, Brettshneider hints at (but does not develop) a truth about Jewish history that enlarges the perspective: Jewish communal politics has always been torn between de facto internal divisions and the need to present a united front to a hostile external world. Jewish communities in pre-modern times often imposed sanctions on a *malshin* (informer) far more ominous than attempted "silencing" in the 1980s. The balance between these considerations has been a

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constant thread of Jewish history, as well as that of other minorities. Tapping into such discussions would have enriched this analysis considerably.

ALAN DOWTY
University of Notre Dame

Shame and Humiliation: Presidential Decision Making on Vietnam *by Belma S. Steinberg. Pittsburgh, University of Pittsburgh Press, 1996. 397 pp. Cloth, $40.00; paper, $17.95.*

The author, a trained psychoanalyst as well as a professor of political science, offers a provocative psychological explanation for American policy in Vietnam under three presidents. A mentally healthy and well-adjusted Dwight Eisenhower resisted the pressure to intervene militarily to rescue the French at Dien Bien Phu in 1954. In 1965, a narcissistic Lyndon Johnson, bedeviled by insecurity and fearful of losing Vietnam to the communists, gave in to hawkish advisers and escalated the war, paving the way for ultimate defeat. Richard Nixon, described as another narcissistic personality, reacted to a series of rebuffs and personal humiliations at home and abroad in the spring of 1970 by ordering the incursion into Cambodia as a way to punish his communist tormentors.

Belma Steinberg's account has many strengths. She probes the existing biographical literature to offer convincing and well-documented sketches of the personalities of the three presidents, and she is equally comprehensive in her use of the scholarly literature on all three crises in Southeast Asia. The author also states her case with restraint, conceding that factors other than the personalities of the three leaders shaped and influenced the decisions that they made. Indeed, she is careful to develop the interaction between the psychological needs of her three subjects and the contemporary historical situation. The result is a plausible but flawed attempt to offer a psychological explanation of the Vietnam fiasco.

The main problem with Steinberg's approach is her failure to understand the American commitment in Vietnam inherited by Johnson and Nixon from their predecessors. Ignoring chronology, she chooses to discuss what she terms Eisenhower's rational decision not to intervene last; yet it was precisely the policies Ike followed after the French defeat at Dien Bien Phu that led to the difficulties facing Johnson in 1965 and Nixon in 1970. Her praise of Eisenhower for abstaining from military involvement ignores what followed; beginning with the Geneva Conference, the Eisenhower administration hastened the French departure from Indochina, leaving the United States in the role of defender of a weak South Vietnam under Ngo Dinh Diem. We had taken France's place in order to halt communist expansion in Southeast Asia. It was that policy which led to the deepening American involvement under John F. Kennedy, culminating in the coup that toppled Diem and presented Johnson with the grim choice of either upholding Ike's commitment or allowing Vietnam to fall to the enemy. As the author points out, when LBJ consulted Eisenhower over whether to send combat troops to Vietnam in 1965, Ike advised him "to go all out!" (p. 110). Whatever the possible influence of Johnson's insecurity on the escalation decision, he was clearly acting to sustain what he believed was an American pledge to South Vietnam made in the aftermath of Dien Bien Phu.

There is one aspect of the psychological approach to decision making that might prove even more fruitful than this effort. Both Johnson and Nixon made decisions on Vietnam that led to their political downfall. Was there something in their personalities—some kind of

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death wish—that helps explain their behavior? If Lyndon Johnson had acted prudently and called for a complete reappraisal of Vietnam policy when he became president, he could well have decided in favor of withdrawal from an untenable situation and concentrated all his efforts on his beloved Great Society. Similarly, Richard Nixon might have followed Eisenhower's Korean War example and ended the fighting in six months by making the same concessions to North Vietnam in 1969 that he finally made in January 1973. Both presidents made decisions that helped end their political careers—was that purely accidental or the result of some mysterious defect in their personalities?

ROBERT A. DIVINE
University of Texas at Austin

Globalization in Question: The International Economy and the Possibilities of Governance *by Paul Hirst and Grahame Thompson. Cambridge, England, Polity Press in association with Blackwell Publishers Ltd., 1996. 227 pp. Cloth, $54.95; paper, $21.95.*

Paul Hirst and Grahame Thompson effectively challenge the popular view of the international economy as victim of an overweening predator running rampant to swallow up nation states and supranational trading blocs alike. This "globalization," the argument continues, imposes a new dynamic on the world economy, one dominated by uncontrollable market forces and truly transnational corporations "that owe allegiance to no national state and locate wherever in the global market advantage dictates" (p. 1).

Globalization's claim appeals because it seems to explain important dimensions of today's changing world economy. And certainly the earlier mode of an international economy dominated by nation states and regional partners is antiquated. But does the globalization model do any better? Twentieth-century behaviors and statistical data point not toward cataclysmic transformation but toward continuity: significant parallels across time (the international economy's level of integration and mechanisms for controlling the economy as a whole), new differences requiring new understandings (for example, the economic impact of the communications revolution), and varying levels of national economic autonomy. Focusing on a largely mythical globalization, however, keeps us from dealing with real international economic issues.

The post-1945 international economy has undergone significant changes. Hirst and Thompson identify a half dozen such: the breakdown in 1972–1973 of the Bretton Woods system and sudden, unexpected occurrence of the Organization of Petroleum Exporting Countries (OPEC) oil crisis, expansion by major players of markets and investment opportunities, virtual removal of exchange controls, deindustrialization and unemployment, move into the financial arena by newly industrialized countries, and decline of mass production to more labor-intensive businesses. These changes are unquestionably important. Yet the shifting focus on a putatively globalizing economy seems to ignore their central elements.

What, then, characterizes the emerging international economy? Hirst and Thompson stress five central aspects. First, the post-1945 era's most important economic transactions have occurred among Europe, Japan (possibly including Pacific Rim countries), and North America—a triad likely to shore up its dominant role. Second, a major change especially since the 1970s has been "a progressive internationalization of money and capital markets" (p. 196), but, it must be added, our history suggests that such a change is by no means

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irreversible. Third, interactive trade among industrial states increasingly emphasizes semi-manufactured and manufactured goods, thereby exercising national macromanagement strategies. Fourth, the progressive, albeit limited growth of internationalized companies adds to their interactive trade relations. Fifth, of critical importance has been the triadic formation—US/NAFTA, an expanded European Union, Japan and the Pacific Rim—which encourages the emergence of other such trading and economic blocs that transcend the nation state.

New economic management is needed to control, stabilize, and redistribute key economic functions. Classical economists relied on nation states and invisible hands to carry out such functions, and now supranational coordinative bodies, cooperation among major trade blocs, and, yes, nation states with international objectives are beginning to emerge. But even more regulation and better governance is needed.

Hirst and Thompson present a finely tuned argument that cuts deeply into the trendy claims of globalists. The reader may even query whether an elephant gun is being used to attack fleas. But only rarely does the story seem to aim more at demolishing an inadequate model than at merging findings to identify a more adequate model of understanding. Another plus is the authors' care in pinpointing their line of argument, thereby giving the attentive reader ample opportunity to follow it. The result is a very solid, readable account of a complex element of political economy.

RICHARD L. MERRITT
University of Illinois at Urbana-Champaign

Talking to Strangers: Improving American Diplomacy at Home and Abroad *by Monteagle Stearns. Princeton, NJ, Princeton University Press, 1996. 201 pp. $24.95.*

Monteagle Stearns, a former career diplomat and ambassador, makes a persuasive argument that the institutions and processes of American diplomacy must be reformed to accommodate revolutionary trends under way in international politics. Extremely well-written, and drawing on competing historical traditions in American diplomacy, this book is as valuable for the foreign policy practitioner as it is for historians and political scientists. The post–cold war order, the author contends, is one that will require the United States to strike a balance between the claims of realists and liberals, between the dominance of nation states and new challenges to national sovereignty, between the need for bilateralists and multilateralists in foreign policy conduct, and between the need for political leadership and greater professionalism in the Foreign Service. Traditional diplomacy is challenged today by "the new ways in which national security is being defined and the new lines of communication available to the leaders of modern states when they practice diplomacy" (p. 11). Transnational linkages demand the reinvigoration of those skills associated with professional diplomacy—that is, away from the narrow reliance on technical and quantitative faculties and toward the specialized knowledge of the history, language, and culture of foreign societies.

The book is organized into several sections. Following an introductory chapter on the heritage of European diplomacy, three chapters review the distinguishing traits (the "diplomacy of reason," the "diplomacy of doctrine," and the "diplomacy of process") of various phases of American diplomacy. Four chapters follow that analyze the core skills of diplomacy—representation, management, communications, and negotiations. Two concluding chapters examine various ways to improve the use of diplomacy by policy makers, in addition

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to the importance of long-range planning in the context of both regional and global problems. Attention to reforms in the State Department and Foreign Service—particularly those that address the mismanagement of Foreign Service personnel--call for solutions transcending political or professional partisanship in the administration of foreign policy.

Throughout the book, Stearns argues that the geopolitical foundations of cold war diplomacy ("countering a monolithic threat from outside the United States") must give way to new ways of "coping with the problems of daily life *inside* the world community" (p. xvi). This entails reconsideration of the noninterference prohibition, and of the distinction between internal and external affairs, embodied in the 1961 Vienna Convention on Diplomatic Relations. New forms of diplomacy, in tandem with America's leadership in the world, can provide consensus-building techniques regarding the scope of internal issues, or "antisocial actions," that should be either contained or prevented.

Less persuasive is the author's postulation of the fundamental incompatibility between a morally-acceptable design for intervention (the projection of power) and balance of power diplomacy "that is inconsistent with American historical experience and uncongenial to the American temperament" (p. 165). Stearns declines to substantiate the categories of ethical judgment that lift the moral-minded interventionists up from the moorings of *realpolitik*. Similarly, the operations of the balance of power in a multistate system, as Henry Kissinger and George F. Kennan have pointed out, do not preempt the reconciliation of national interest with proximate moral norms in pursuit of the twin goals of order and legitimacy. The larger challenge for American diplomacy, in an increasingly multipolar world where nation states and *raison d'état* have taken on a new lease, is to forge a balance between the nation's innermost purposes and new forms of equilibrium that always herald the competition of great powers.

GREG RUSSELL
University of Oklahoma

Voting Rights and Democracy: The Law and Politics of Districting *by Richard K. Scher, Jon L. Mills, and John J. Hotaling. Chicago, Nelson-Hall Publishers, 1996. Paper, $22.95.*

The enactment of the Voting Rights Act of 1965 at the urging of President Lyndon Johnson represented a watershed in the American civil rights movement. In the more than three decades since, the scope of the legislation and its impact on political representation has made voting rights one of the most important and controversial topics in United States politics. The process of creating new districts, even absent issues of voting rights for minorities, is complicated enough, and the politics of creating districts for the advantage of some special interest, usually incumbency, has almost forever been an American phenomenon. In *Voting Rights & Democracy*, the authors blend the story of how districting is done with the very complicated issues of civil rights that have become part of and have further complicated the process.

Voting rights issues are very current as recent decisions of the Supreme Court have set aside congressional districting schemes for several states, schemes which largely have been either devised by the United States Department of Justice's Civil Rights division or met with their approval. The result has been that the Voting Rights Act and its interpretation have been a source of incredible confusion for the various political bodies charged with districting

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at the state and local levels. What was seemingly clearly required by case law prior to the districting occasioned by the 1990 census has now been declared unconstitutional. One has only to recall the controversy over President Bill Clinton's failed attempt to appoint Lani Guanier to head the Civil Rights division to understand the intensity of the issues at risk in voting rights matters. The contention is certain to continue as the courts try to reconcile how voting rights protection can be extended to specially favored minorities while honoring a constitutional responsibility to the equal protection clause. The Supreme Court is very much engaged in a "work in progress," and the docket of the Court for the coming term suggests further revisions in the tortured jurisprudence of districting. This threatens the utility of *Voting Rights and Democracy* as an up-to-date guide to current law. It may, in short, be dated not by its own inadequacy, but rather because of fast moving and radical changes in how the voting rights law is applied.

At the same time, there is a great deal in the book that is extremely well done, and it is very useful for a course or seminar on voting rights issues. In addition to a fine presentation of civil rights issues, the text does a good job of discussing other important standards for districting, the principal one being equality of population, where exact population equality is required for congressional districts and some deviation is permitted for other districts where there are some justifications for the deviation. Other secondary standards for districting, such as political fairness, compactness, and contiguity are also discussed, but as the authors properly note, these are not usually grounds for judicial intervention at the federal level. What are not dealt with in the legal sections of the book, and which are well worth considering when approaching the act of districting, are state laws that often prescribe standards for districting, particularly for their political subdivisions. Political scientists should also particularly enjoy both the chapter entitled "See You in Court," where state issues are addressed, and the part that deals with how the politics of voting rights is conducted. In essence, the authors have done a good job in clarifying a confusing area of law, and they have offered a nice read on the politics of districting as well.

FRANK J. MACCHIAROLA
St. Francis College

The UAW and the Heyday of American Liberalism, 1945–1968 *by Kevin Boyle. Ithaca, NY, Cornell University Press, 1995. 338 pp. $35.00.*

Kevin Boyle has written an account of the United Auto Workers (UAW) in the postwar period that challenges the academic consensus about labor in the postwar era. The consensus view is that soon after the war's conclusion "the CIO unions abandoned their hopes" of creating social democracy in the United States, and accepted their status as "simply another special-interest group" (p. 2). By contrast, Boyle argues that Walter Reuther and his colleagues in the leadership of the United Auto Workers were the inheritors of social democratic ideology and politics and "continued to promote democratic economic planning and an expanded welfare state throughout the 1950s and 1960s" (p. 4). The limits on labor's accomplishments were not set by the abandonment of social democratic goals, Boyle insists, but by the politics and society in which they were pursued.

Boyle could hardly have chosen a more powerful case to make this argument. Walter Reuther, president of the union from 1946 until his death in 1970, was the son of a German immigrant who voted for Eugene V. Debs's Socialist party. Walter, his three brothers, and

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his sister all grew up to be committed socialists. The UAW was the third largest union in the country through the 1960s (behind the Teamsters and the Longshoremen), and economically the most strategically placed. The union was part of an influential network of liberal interest groups and maintained a sophisticated lobbying operation in Washington. There Reuther and others advanced democratic economic planning, expansion of the welfare state (especially housing and health care), repeal of Taft-Hartley, aggressive pursuit of civil rights. Like Truman's Fair Deal, labor's agenda met defeat in a Senate controlled by the South.

The story of the UAW in national politics is not just a rehabilitation of UAW leadership. For the narrative reveals not "simply another interest group", but another stage on which the whole of the postwar drama of U. S. society and politics was played—anticommunism, astonishing plenty, the challenge of civil rights activism, the complex tragedy of Vietnam. This retelling of postwar history is a compelling narrative, whether the reader finally accepts Boyle's argument about labor leadership or not.

The element of classical tragedy here is that Reuther, having built a strong political organization within the UAW, lost touch with the rank and file. Thus he and his union weathered the Great Society no better than their party. For example, active in civil rights efforts and the design of the Community Action Program, union leaders neither considered the claims of poor and working-class Whites, nor anticipated the assertiveness of urban blacks. This was so even though the racial dynamics of the shop floor were no different than those on the streets, from the "stomp down racists" at Dodge Main to the appearance of the Detroit Revolutionary Union Movement. Union leaders were astonished when the showcase for their efforts, Detroit, exploded in the riots of 1967 and 1968.

If there is a flaw in this book, it is its admitted "top down institutional history" (p. 8) approach. Boyle wants to explain "labor's failure: its inability to build a cross-class, biracial coalition committed to continued reform" (p. 7). Of course one wonders whether things might have been different, whether some of our collective cataclysms and agonies might have been averted. The answer, surely, is in a better exploration of street-level and shop-floor dynamics among those whose anger and frustrations eventually engulfed us all.

AMY BRIDGES
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The Face of the Nation: Immigration, the State, and the National Identity *by Keith Fitzgerald. Stanford, CA, Stanford University Press, 1996. 285 pp. $30.50.*

This is a thoughtfully constructed, elaborately argued, multithesis-driven study of the evolution of American immigration policy. Its ninety-six pages analyzing prior theories—specifically pluralism, class-conflict, and state-as-actor realism—will delight political scientists; its 130 pages reviewing the formulations of immigration policies (principally 1875 to 1965), wherein Fitzgerald applies his complex theses, will challenge most historians' perspectives and undoubtedly exasperate many with its hard-driving insistence on the central role of the federal bureaucracy.

The author was motivated by his perception of the irrationalities, inconsistencies, and injustices of American immigration law (especially refugee policies), the seemingly unfettered power of the State department in administering that law, and the inability of existing theoretical models to explain these issues comprehensively. He emphasizes these points because he regards immigration policy as a critical variable in how the nation defines itself.

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His underlying premise is that politics and political institutions are "at the center of policy explanations" (p. 8). Moreover, the state is never neutral, and it develops and pursues its own self-defined interests through bureaucracies that have been gradually institutionalized by the accumulation of federal legislative innovations requiring implementation. The central theme of the book revolves around his concept of "improvisational institutionalism" (p. 61), wherein successful policies come from those with the best "institutional resources" to improvise new policies. Initially in the last century, various interest groups articulated arguments in favor of federal actions concerning immigration and pressed (in the existing bureaucratic vacuum) for legislation requiring institutional innovations that cumulatively provided "policy legacies" upon which subsequent policies and bureaucratic actions were then constructed (mostly involving front-gate [legal] immigration). Where such interest group concerns were not channeled through the evolving national policy networks, the state scarcely developed a bureaucracy, or institutionalization, that heavily addressed that subject—for example, back-door (or unsanctioned) immigration by Mexicans. And—of major importance to Fitzgerald—where domestic interest groups hardly expressed a position or desire to intervene, the evolution of refugee policy standing at the heart of this argument, the federal bureaucracy (notably the State department) gradually formulated its own positions and interests and progressively exercised more power to implement its own foreign policy–based considerations.

It is the variation in this institutionalization of the different policy networks that is the "key explanatory variable" and the "core premise of improvisational institutionalism" (p. 81) by which Fitzgerald accounts for the seemingly irrational aspects of American immigration law. The initial contradictions in immigration policies can be accounted for by the emergence of different policy domains "because different patterns of politics followed from the policy legacies of 100 years of episodic innovation" (p. 208).

Unfortunately, an equally lengthy description is also required to address Fitzgerald's many unsubstantiated, or factually inaccurate, or contradictory statements. They may not invalidate his thesis, but his discussions of the following subjects do warrant a more subtle perspective regarding much of this century's immigration policies: brain drain, Mexican immigrants, braceros, the repatriation movement (which he lamentably described as merely symbolic [pp. 162, 174]), and the complex impact of illegal immigration; the operation of Japanese-American internment camps by the independent War Relocation Agency, (not the Immigration and Naturalization Service, which operated other ones); the relationship between Great Society legislation and the immigration reforms of the 1960s; and the volume of recent refugees as a proportion of all newcomers. There are also omissions concerning the lengthy interrogations of Chinese immigrants by officials on Angel Island for thirty years; the anti-Semitism of patrician State department officials during the 1930s; the 1939 Wagner-Rogers Bill debate; Franklin D. Roosevelt's, Harry S. Truman's, and Dwight D. Eisenhower's views about refugees; the negative aftermath of Europe's guestworker programs; and diversity visas, temporary protected status, and other provisions of the unmentioned Immigration Act of 1990.

ELLIOTT ROBERT BARKAN
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Down from Bureaucracy: The Ambiguity of Privatization and Empowerment *by Joel F. Handler, Princeton, NJ, Princeton University Press, 1996. 269 pp. $29.95.*

In a richly-textured analysis, Joel F. Handler, Richard C. Maxwell Professor of Law at the University of California at Los Angeles, evaluates several recent efforts to decentralize public

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policy administration so as to empower dependent people with respect to the implementation of public policies that affect them. He reaches two important conclusions: that various forms of decentralization and devolution are employed less to actually empower people than to deflect and diffuse political conflict; and that the resulting structural arrangements are inherently unstable as actors continue to maneuver for advantage.

Handler's conclusions are based on his analysis of a wide variety of detailed case materials: attempts by New Jersey and Massachusetts state governments to use competitive contracts to deliver mental health services; the delegation of enforcement authority in worker safety; cooperative regulation of special education, home-based care for the frail, elderly poor, and nursing home residents; and the devolution of authority to public school sites and their communities, especially in Chicago. He analyzes these and other illustrative materials using heuristic frameworks that are syntheses of selected public choice and institutional literatures, including the contributions of authors such as John E. Chubb and Terry M. Moe, Yeheskel Hasenfeld, Walter W. Powell, and Paul J. DiMaggio, to mention just a few of the authors he favors.

Thus, in approaching his examples, Handler views governmental administrative systems as "arenas of competing jurisdictions . . . with problems of information, communication, coordination, and control" (p. 31). The "politics of structure" (p. 218) are assumed to be continuous, moreover, and are best characterized as "dynamic political processes of symbolism, delegation, and the management of conflict" (p. 40). Power is assumed to be three dimensional, involving overt influence, agenda control, and problem construction. Bargaining and conflict resolution in human service arenas are non-zero-sum, with the potential for Pareto improvements in well being.

Applying these heuristics, Handler concludes that the goal of actually shifting power to dependent groups is usually subordinate to "the overriding demands of managing political and organizational conflict" (p. 79), rare, and, in any event, "never permanent" (p. 218). Sustained change on behalf of dependent people requires advocates with staying power, dedicated leaders, low levels of adversarial conflict, and external assistance to redress debilitating power imbalances. "People who are poor, who lack resources, who are vulnerable, cannot be expected to challenge bureaucrats and professionals" (p. 242).

Handler's evident goal is to illuminate the complexities of an issue, empowerment through decentralization of public authority, that is embraced more for symbolic than for substantive reasons. If his selection of analytic models and case materials seems slanted toward his thesis or occasionally uncritical (his analysis of Chicago school reform is rather too influenced by biased participants), the richness of his discussion and subtlety of his insights more than compensate. His tendency to ennoble dependent people more than the professionals who care for them or the citizens who pay for the services may annoy more conservative readers, but advanced students of government and practitioners in human service fields who are struggling with decentralization will be amply rewarded by reading this book.

LAURENCE E. LYNN, JR.
University of Chicago

The Politics of Abortion and Birth Control in Historical Perspective *edited by Donald T. Critchlow. University Park, The Pennsylvania State University Press, 1996. 180 pp. Paper, $13.95.*

Abortion and birth control are not likely to disappear any time soon as central issues in the American political arena. Yet heightened emotions and strong religious and moral beliefs

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too often interfere with an informed assessment of these concerns. The seven essays in this volume offer the reader a dispassionate, historical approach "within a larger cultural, policy, and comparative framework" (p. 17).

The information presented here provides both the familiar and the original; some essays prove more provocative than others. James Reed's brief history of abortion will be familiar to anyone who has read his longer monograph. Donald Critchlow's useful overview of abortion and birth control places them in a broad perspective, demonstrating that an understanding of these issues requires more than the moral and feminist interpretations, which today often define the controversy. James Hunter and Joseph Davis explore these same topics by examining changing medical technology, genetic advances, and the importance of language in the debate. They raise important ethical concerns while observing that social forces and astonishing medical developments often have forced Americans to confront these issues before the relevant ethical questions can be answered.

One of the more interesting essays is John Sharpless's historical examination of abortion and family planning and the impact of both on this nation's foreign policy since the 1930s. A projected worldwide population explosion became a major justification for the United States's decision to intervene overseas to stabilize growth in targeted countries. Cold war worries and the idealization of the American family also prompted arguments for controlled growth to preserve political stability and promote economic progress. These concerns created an unprecedented form of foreign policy, "aimed at altering the demographic structure of foreign countries through long-term intervention" (p. 72). Numerous critics regarded such intervention as heavy-handed, unchristian, and often racially and economically motivated. Balancing strategic concerns and humanitarian responses overseas proved tricky by the 1980s, given our own mixed reactions to abortion.

Two essays explore the pro-life and pro-choice movements. Keith Cassidy examines the right-to-life movement, revealing its numerous factions and internal strengths and weaknesses. *Roe v. Wade* helped to shape the right-to-life movement by providing a common enemy and helping unite disparate viewpoints. Nevertheless, diverse reactions to pro-life issues have weakened members' ability to define and carry out major goals, including a constitutional right-to-life amendment. Though antiabortionists are not of one mind, Cassidy argues that a majority share a conservative outlook and strong faith and tend to support other pro-life issues such as opposition to the death penalty. Suzanne Staggenborg adopts a sociological approach in analyzing the viability of the pro-choice movement since 1973. She focuses on the importance of organizational structure and the larger political climate to help explain that movement's failures and successes.

Lest Americans feel that they alone confront such battles, Ian Mylchreest presents a comparative approach by exploring abortion and birth control in two other English-speaking countries, Australia and Great Britain. His research suggests that the U.S. Supreme Court's 1973 decision brought this nation in line with medical and legal values in those countries.

Though the writing tends toward the academic, and factual presentation often takes precedence over interpretation, this volume contains important, detailed information that will enlighten readers about these highly-charged subjects. The extensive bibliography will be useful for those wanting additional information. These essays originally appeared in a 1995 issue of *Journal of Policy History*, but this paperback edition should prove useful, offering an informed, dispassionate approach to the debate over family planning, birth control, and abortion.

SALLY G. MCMILLEN
Davidson College

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Abortion Rates in the United States: The Influence of Opinion and Policy *by Matthew E. Wetstein. Albany, State University of New York Press, 1996. 153 pp. Paper, $16.95.*

Much has been made of fairly recent Supreme Court decisions regarding abortion, especially *Webster v. Reproductive Health Services*, which allow state politicians greater leeway in restricting access. There is reason to expect that in states where pressure for restrictive abortion laws is substantial, politicians will undertake restrictive policies. The states have played an important role in abortion policy for a long while; indeed, state policies themselves were the basis for the recent Supreme Court decisions that altered the political landscape. What accounts for these policies? Does public opinion matter? And, perhaps most importantly, do state policies actually influence behavior? These questions form the subject of *Abortion Rates in the United States.*

A good amount of literature on abortion already exists. But as is all too common in political science, the literature is segmented and tends to focus separately on abortion opinion, federal and state policies, or abortion rates. Wetstein takes a different approach and attempts to build an integrated model of abortion policy inputs, outputs, and outcomes. Following other research by Robert Erikson, Gerald Wright, and John McIver, Wetstein treats the states as laboratories of democracy, where politics and policy are primarily driven by state public opinion. He conceives of abortion rates in the states as the result of supply and demand, where supply is partially structured by state policies. Wetstein outlines a set of specific hypotheses and then proceeds to test them in the immediate wake of the important *Webster* decision.

To begin with, Wetstein traces the evolution of Supreme Court decisions and then considers their influence on the use of abortion over time. Consistent with previous research, he shows that Court decisions have had little direct effect on overall abortion rates. The same is true for other national policy decisions. Some of these decisions have influenced abortion rates across states, however. *Roe v. Wade*, for example, led to greater geographic equalization of rates as abortion became available in each state. Still, there has been substantial variation in abortion rates across the states, and the rates vary over time within states as well. What explains this variation?

The rest of the book examines state abortion policies, their causes and consequences. Wetstein shows that the variation in abortion policies across states tends to follow the variation in public support. The pattern does not hold for each and every abortion policy, such as state Medicaid restrictions, but for a set of abortion policies taken together. Where public support for restricting access is high (low), the number of restrictions tends to be high (low). Moreover, the variation in abortion across states reflects this variation in policy. Where the number of restrictions is high (low), abortion rates tend to be low (high), other things, especially the demand for abortions, being equal. State abortion policies effectively structure the supply of, or access to, abortion.

Ultimately, these findings are interesting and important. There are a few loose ends, however, and some of the findings are not fully fleshed out, such as the impact of policy on abortion rates. Do all state abortion policies matter equally? Or is it that certain policies matter more than others? If so, which ones matter most? Thus, there still is work to be done. That work should build directly on what Wetstein has accomplished, for the research marks real progress. As such, the book should be required reading for students of abortion politics and policy, both scholars and graduate students alike. The book also warrants the attention of those of us who study modern democratic polities more generally, for here is evidence that the public matters for policy and policy matters for behavior. In this particular, very salient domain, it appears, democracy works.

CHRISTOPHER WLEZIEN
University of Houston

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Reference Books and Other Publications of Interest Received

Desecrating the American Flag: Key Documents of the Controversy from the Civil War to 1995 *edited by Robert Justin Goldstein. Syracuse, NY, Syracuse University Press, 1996. 368 pp. Cloth, $49.95; paper, $19.95.*

Fin de Siecle and Other Essays on America and Europe *by Walter Laqueur. New Brunswick, NJ, Transaction Publishers, 1997. 280 pp. $34.95.*

The League of Nations: From 1929 to 1946 *by George Gill. Garden City Park, NY, Avery Publishing Group, 1996. 200 pp. $25.00.*

A NAFTA Bibliography *compiled by Allan Metz. Westport, CT, Greenwood Press, 1996. 504 pp. $89.50.*

A New Handbook of Political Science *edited by Robert E. Goodin and Hans-Dieter Klingemann. New York, Oxford University Press, 1996. 845 pp. $75.00.*

New States, New Politics: Building the Post-Soviet Nations *edited by Ian Bremmer and Ray Taras. New York, Cambridge University Press, 1996. 743 pp. Cloth, $74.95; paper, $29.95.*

The Politics of European Integration: A Reader *edited by Michael O'Neill. New York, Routlege, 1996. 343 pp. Cloth, $69.95; paper, $19.95.*

SIPRI Yearbook 1996: Armaments, Disarmament and International Security *by Stockholm International Peace Research Institute. New York, Oxford University Press, 1996. 830 pp. $110.00.*

The Supreme Court Compendium: Data, Decisions & Developments, 2nd ed. *by Lee Epstein, Jeffrey A. Segal, Harold J. Spaeth, and Thomas G. Walker. Washington, DC, Congressional Quarterly Books, 1996. 750 pp. $42.95.*

The Supreme Court Yearbook, 1995–1996 *by Kenneth Jost. Washington, DC, Congressional Quarterly Books, 1996. 358 pp. $37.95.*

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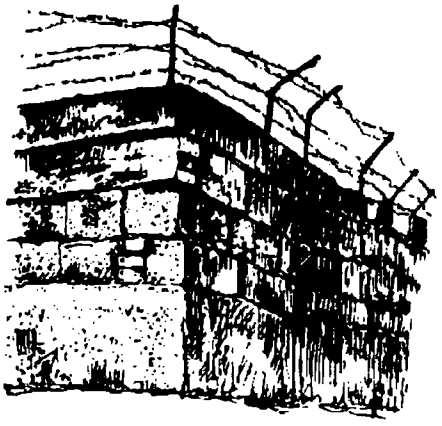

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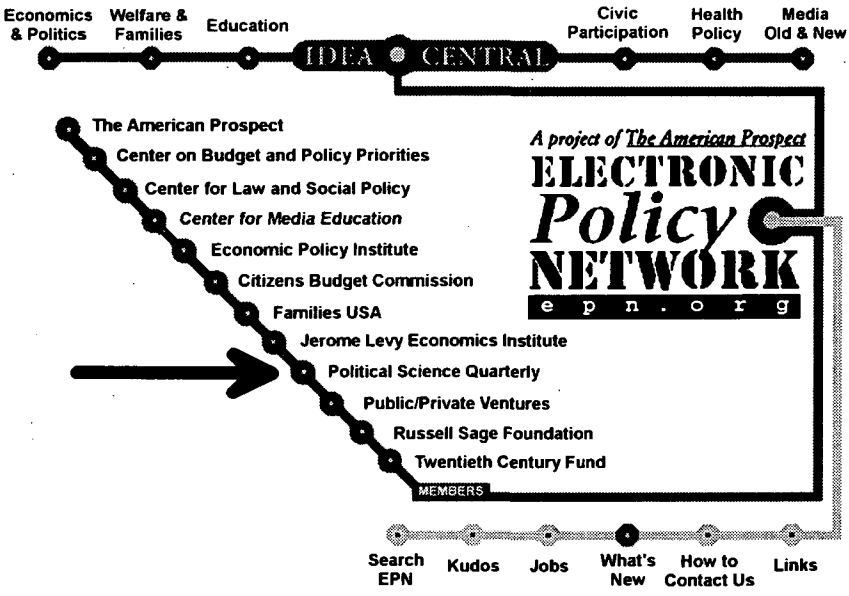

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